Bloomington Commission on Sustainability and Resilience
Meeting Packet

Tuesday, October 13, 2026, 6:00 P.M.
McCloskey Conference Room (Room 135), City Hall
401 N Morton St, Bloomington, IN 47404

This meeting may also be accessed by Zoom
https://bloomington.zoom.us/j/84327085962?pwd=naI8LVmKZSoinPUHbXuw3h7oqMyi5g.1
Meeting ID: 843-2708-5962, Passcode: 034238

CONTENTS

1. **Agenda**
2. **Minutes for Approval**
    a. September 8, 2026 — Regular Meeting
    b. September 15, 2026 — BCOSR/EC Joint Meeting
3. **Capstone Project Proposal: Social Housing Scenario Study for Bloomington/Monroe County**
4. **BCOSR Flock Request for Information**
    a. BCOSR Letter to Mayor Thomson
    b. Mayor Thomson's response
5. **Resolution 2026-07: Enhancing the City's Protection of Significant and Heritage Trees**
    a. Resolution Language for Second Reading
    b. Memorandum from Resolution Author
    c. Letter of Support from Tree Commission
    d. Letters of Support from the Public
6. **Old Business**
    a. Letter to Council: "Proposed Changes to UDO § 20.04.030(h) – Tree and Forest Preservation"
    b. Response from Deputy Mayor Knapp regarding the Dark Sky resolution
    c. Retrocycle — Indiana Cup Project Plan

Bloomington Commission on Sustainability and Resilience

Regular Meeting
Tuesday, October 13, 2026, 6:00pm
McCloskey Conference Room (Room 135), City Hall, 401 N Morton St, Bloomington, IN 47404

This meeting may also be accessed by Zoom
https://bloomington.zoom.us/j/84327085962?pwd=naI8LVmKZSoinPUHbXuw3h7oqMyi5g.1
Meeting ID: 843-2708-5962, Passcode: 034238

Commission Members & Terms

Tara Dunderdale, appointed by Common Council, February 1, 2025 through January 31, 2027
Justin Vasel, appointed by Common Council, February 1, 2025 through January 31, 2027
Rebecca Payne, appointed by Common Council, February 1, 2026 through January 31, 2028
Christopher Miles, appointed by Common Council, February 1, 2026 through January 31, 2028
Zach Ammerman, appointed by Common Council , February 1, 2026 through January 31, 2028
Dave Rollo, appointed by Common Council on January 10, 2024
Terese Dorau, appointed by IU Office of Sustainability on September 9, 2026
Alex Jorck, appointed by the Mayor, February 1, 2026 through January 31, 2028
Maria Aarstad, appointed by the Mayor, February 1, 2026 through January 31, 2028
Diana Ogrodowski, appointed by the Mayor, February 1, 2025 through January 31, 2027
Ross Carlson, appointed by Monroe County Commissioners on November 24, 2025

Agenda

1. **Call to Order** **6:00 PM**
2. **Approval of the Agenda**
3. **Approval of Minutes**
    a. September 8, 2026 — Regular Meeting
    b. September 15, 2026 — BCOSR/EC Joint Meeting
4. **Public Comment** **6:05 PM**
   3 minutes per person
5. **Commissioner Reports** **6:15 PM**
    a. **Chair's Report**
       Justin Vasel
    b. **Council Ex-Officio**
       Dave Rollo
6. **Discussions Not the Subject of Resolution** **6:30 PM**
    a. **Capstone Project Proposal: Social Housing Scenario Study for Bloomington/Monroe County**
       Presenter: Zach Ammerman
        i. Action Item: Vote to approve
    b. **Mayor Thomson's Response to BCOSR Flock Request for Information**
7. **Resolutions for First Reading** **7:00 PM**
8. **Resolutions for Second Reading** **7:00 PM**

a. **Resolution 2026-07: Enhancing the City's Protection of Significant and Heritage Trees**
Presenter: Zach Ammerman

i. Action Item: Vote to adopt

9. **Staff Liaison Report** **7:20 PM**
Shawn Miya

10. **Member Announcements** **7:30 PM**

11. **New Business** **7:30 PM**

12. **Adjournment** **by 7:30 PM**

BLOOMINGTON COMMISSION ON
SUSTAINABILITY AND RESILIENCE

MINUTES
BLOOMINGTON COMMISSION ON SUSTAINABILITY AND RESILIENCE

McCloskey Conference Room (Room 135), City Hall
401 N Morton St, Bloomington, IN 47404

Regular Meeting, Tuesday, September 8, 2026

FOR APPROVAL

Commissioners Present In-Person: Tara Dunderdale, Justin Vasel, Rebecca Payne, Zach Ammerman, Maria Aarstad, Diana Ogrodowski, Ross Carlson

Commissioners Present Virtually: Dave Rollo, Alex Jorck

Commissioners Absent: Christopher Miles

Staff Present: Shawn Miya

Guest Presenter: Meredith Katz, CEO and Co-founder, Retrocycle

1. CALL TO ORDER

Chair Justin Vasel called the meeting to order at 6:03 PM. At roll call, a quorum of 8 of 10 commissioners was present. Commissioner Jorck was attending virtually but was not recognized until after the vote on the agenda. Commissioner Miles was absent.

2. APPROVAL OF AGENDA

Chair Vasel proposed moving Item 6a, Retrocycle Introduction, to follow Approval of Minutes and precede Public Comment, out of respect for the guest presenter's time. No other changes were offered.

ACTION: Commissioner Vasel moved to approve the agenda as amended. Commissioner Ammerman seconded. The motion passed by roll call vote, 8–0.

3. APPROVAL OF MINUTES

No corrections were offered to the minutes of the July 14, 2026, regular meeting.

ACTION: Commissioner Ammerman moved to approve the minutes of the July 14, 2026, regular meeting. Commissioner Carlson seconded. The motion passed by roll call vote, 9–0.

4. PUBLIC COMMENT

- **Jordan Connor** spoke in support of the Commission's letter to the Office of the Mayor regarding Flock. He expressed concern that Flock cameras remain installed with no indication of whether they are recording, noted that officials in Dayton, Ohio, and Evanston, Illinois, covered their cameras pending removal, and asked the Commission to add language to the letter proposing an immediate measure to address the cameras still in place.

- **Jami Scholl** (virtual), a former commissioner, asked the Commission to draft a resolution recommending that the City fund a food systems manager or similar position, and to encourage the Common Council to prioritize the chicken flock ordinance modification this Commission previously recommended to increase allowed flock sizes. Shawn Miya clarified that the City's previous food systems coordinator position was funded by a grant and ended when the grant was expended.
- **Ryan Webster**, chair of the Community Defense Committee, spoke about the impact of mass surveillance on the community and expressed support for the Commission's letter to the Office of the Mayor and for Mr. Connor's proposed addition. He asked that Flock not be replaced by a similar product from another vendor.
- **Thomas Westgard**, a Monroe County resident, supported the Commission's letter and spoke about the impact of mass surveillance, including documented misuse by law enforcement. He raised concerns that collected data is sent out of state and not deleted, and about a lack of notice, disclosure, accountability, and opportunity for residents to contest the use of these systems. He asked the Commission to press for greater accountability, transparency, and disclosure.

5. REPORT FROM COMMISSIONERS

a. Chair's Report (Justin Vasel)

The joint meeting with the Environmental Commission on the dark sky resolution, postponed when the Environmental Commission lacked a quorum, has been rescheduled for Tuesday, September 15, 2026, at 6:00 PM in Council Chambers. The Environmental Commission has since amended how its bylaws count quorum. Commissioners who cannot attend, or who must attend virtually, should notify the Chair. The agenda and packet will be essentially the same as for the original meeting.

The 2025 annual report is nearly complete and will be circulated to commissioners within the next week for review using a comment matrix. Proposed changes will be discussed at the next meeting.

b. Council Ex-Officio (Dave Rollo)

Council Member Rollo expressed support for removing the Flock cameras and said he believes there is broad support for removal on the Council. The Council will hold a deliberative session and community conversation on public safety on Wednesday, September 9, where surveillance cameras are expected to be discussed.

The food systems coordinator position came up during budget deliberations. Although the previous position was grant-funded, several council members support making it a permanent City position and may send a memo to the Mayor to that effect.

During review of the Animal Care and Control budget, the Council discussed deer density in the city. An aerial survey estimated an average of about 90 deer per square mile, which raises public health concerns related to ticks and tick-borne illness and makes it harder for residents to grow food.

In June, the Council adopted a resolution calling for a moratorium on artificial general intelligence and artificial superintelligence. Council Member Rollo is working with other groups to encourage other communities to adopt similar measures.

6. DISCUSSION OF TOPICS NOT THE SUBJECT OF RESOLUTIONS

a. Retrocycle Introduction (Meredith Katz, Retrocycle)

This item was heard after Approval of Minutes, per the amended agenda.

Chair Vasel introduced Meredith Katz, CEO and Co-founder of Retrocycle, which is interested in making Bloomington the starting point for an Indiana rollout. He noted that the program could be a good fit for a working group grant project and an opportunity to collaborate with the Environmental Commission, the Arts Commission, the Monroe County Solid Waste Management District, Monroe County, and Indiana University. No decisions were needed at this meeting.

Ms. Katz, an IU alumna, described Retrocycle as a Colorado-based 501(c)(3) nonprofit that creates circular systems to replace disposable ones. Its first program, the Colorado Cup, is a statewide borrow-and-return system for reusable to-go cups that launched about three months ago in Breckenridge and has expanded to Frisco and Dillon. Customers pay a $2.50 deposit, can swap a used cup for a clean one with each new drink at any participating cafe, and receive a $2.50 discount when they return it. Cafes wash and restock the cups, and the program adds three buttons to each cafe's point-of-sale system: borrow, return, and swap. The cup-tracking map was built by students at IU's Luddy School.

- **Results to date:** About 2% of to-go drink orders at participating cafes use a reusable cup, with goals of 5% by the end of the year and 20% long term. The return rate is about 40%, compared with an expected 10%, and exceeds 75% at Breckenridge resorts. The program has eliminated more than 750 single-use cups.
- **Municipal role:** Retrocycle asks the municipality to purchase the starting case of cups for each participating cafe. Ms. Katz identified about 13 eligible cafes in Bloomington; her budget estimate covers about 10, since the program aims for at least 50% participation to create a network effect.
- **Costs:** Cups are $2 each and lids $0.50 each. A case of cold cups is about $180 and a case of hot cups about $70, with two cases of hot cups and one case of cold cups recommended per cafe. Hot lids are $72 per case of 144, and cold lids are about $90. Participating cafes also pay a $45 monthly subscription that covers shipping and shared marketing.
- **Materials:** Cups are made of #5 polypropylene, rated for 1,000 uses, and ridged so no sleeve is needed. The material was chosen mainly for cost and matches that used by ReCup, a German system with about 20,000 cafes. Retrocycle is researching reusable materials; a life-cycle study with CU Boulder was inconclusive, and a stainless steel option may be considered later.

Commissioners and staff suggested contacting the Bloomington Urban Enterprise Association about funding and the IU Office of Sustainability about a materials research partnership. Commissioner Jorck expressed interest in using available grant funding to support the program and suggested "Hoosier Cup" as a name. Chair Vasel will circulate Retrocycle's cost estimates for Bloomington, and the Commission will discuss the program further at a future meeting. Ms. Katz left a sample cup with the Commission.

b. Letter to the Office of the Mayor: Update on Flock (Justin Vasel)

Chair Vasel explained that the letter follows up on Resolution 2026-02, adopted in March, which recommended that the City disable deployed cameras; disclose camera locations and data-sharing agreements; account for how collected data has been used; and provide notice to boards and commissions and an opportunity for public comment before any future surveillance technology procurement. The letter asks six questions covering the status of equipment, the status of a specific agreement, the relationship between agreements, agreements currently in effect (including for Condor pan-tilt-zoom cameras), access to the Flock Safety platform, and data disposition and replacement technology.

ACTION: Commissioner Vasel moved to approve the content and transmittal of the letter. Commissioner Ammerman seconded.

Commissioners proposed the following changes:

- In Question 1, ask what the City's plans are to cover or otherwise block the functionality of any remaining equipment until it is removed, in response to public comment.
- In Question 6, ask whether the City plans to enter into, or has entered into or begun negotiating, an agreement with another vendor for similar technology.
- Note that the questions are informed by public comment received at this meeting and by contract documents the City has released.
- Update the requested response date to October 9, 2026, so responses can be included in the packet for the October 13 meeting.

Commissioners also discussed requesting an independent third-party audit of how Flock data was accessed and used, and agreed this may be better addressed in a separate resolution after the City responds.

ACTION: Commissioner Vasel moved to amend the letter as shown on screen. Commissioner Dunderdale seconded. The motion passed by roll call vote, 9–0.

ACTION: The motion to approve the letter as amended and transmit it to the Office of the Mayor passed by roll call vote, 9–0.

c. Letter to Council: Proposed Changes to UDO re: Tree and Forest Preservation (Zach Ammerman)

Commissioner Ammerman explained that one of the proposed changes to the Unified Development Ordinance (UDO), added by City staff during Plan Commission review, would exempt lots of 5,000 square feet or less in the R3 and R4 districts from all tree protection requirements. The letter asks the Council to remove this exemption, notes that the code already allows the Planning and Transportation Department to modify canopy retention requirements on small lots, and recommends that, if an exemption is retained, it apply only to canopy retention on a case-by-case basis rather than to other protections, such as protecting existing trees during construction.

ACTION: Commissioner Ammerman moved to approve the letter as written. Commissioner Aarstad seconded.

In response to questions, Commissioner Ammerman clarified that the Planning and Transportation Department already has this discretion, and that the letter would make clear that it applies to canopy retention requirements. Council Member Rollo said the Council may vote on the UDO changes within the next two meetings and that the Council may amend the Plan Commission's recommendations. No amendments were offered.

ACTION: The motion passed by roll call vote, 9–0. Chair Vasel will transmit the letter promptly given the Council's timeline.

d. Capstone Project Proposal: Social Housing Scenario Study for Bloomington/Monroe County (Zach Ammerman)

This item was an introduction only. Commissioners were asked to read the proposal before the next meeting, where the faculty member leading the project will attend as a guest. No action was taken.

7. RESOLUTIONS FOR FIRST READING

a. Resolution 2026-07: Enhancing the City's Protection of Significant and Heritage Trees (Zach Ammerman)

Commissioner Ammerman introduced the resolution, which recommends changes to the UDO and the Bloomington Municipal Code to define and protect heritage and significant trees, which the code currently mentions but does not define or protect. The packet includes a detailed memorandum with maps and the proposed code changes in context. He reviewed the resolution with the City's Urban Forester over several rounds; the Tree Commission voted unanimously to support it, and its letter of support is included in the packet. The Planning and Transportation Department was offered an opportunity to comment and declined. Council Member Rollo expressed support, citing developments where tree preservation conditions of approval were later reversed.

ACTION: Commissioner Ammerman moved to advance Resolution 2026-07 to a second reading. Commissioner Payne seconded. The motion passed by roll call vote, 9–0.

8. RESOLUTIONS FOR SECOND READING

There were no resolutions for second reading.

9. REPORT FROM STAFF LIAISON

- **Commissioner training:** An additional session will be held Wednesday, September 30, 2026, from 5:30 to 7:00 PM in Council Chambers. Commissioners who have not yet attended should plan to do so; details will be sent by email.
- **Project 46 (Southern Indiana Regional Climate Alliance):** The alliance held its first retreat and set four focus areas, each with a subcommittee: energy efficiency and renewable energy, flood and hazard mitigation, waste reduction, and electric vehicle adoption. A climate resilience hubs subcommittee will be led by Bill Brown. Project 46 received a $35,000 capacity-building grant from the Indianapolis Foundation, and the Indiana Energy Independence Fund joined its advisory committee.

- **Solar grants:** The City's solar grant program for income-qualified homeowners launches September 28, 2026. Owner-occupied single-family homes within city limits with household income below 80% of area median income qualify for a 5-kilowatt installation at no cost to the homeowner.

10. MEMBER ANNOUNCEMENTS

- The Monroe County Public Library is partnering with the City, as a Bee City USA community, on a native pollinator scavenger hunt running through early November, with activities and a field guide.
- The Trades District Block Party will be held Saturday, September 26, 2026, from 4:00 to 7:00 PM. The free event will showcase planned improvements in the Trades District, including gateway and public art projects, and invite community feedback.
- Commissioners, including Commissioner Ogrodowski, are participating in the 2026 Bloomington Residents Academy cohort and recommended the 11-week program.

11. NEW BUSINESS

There was no new business.

12. ADJOURNMENT

The meeting adjourned at 7:30 PM.

NEXT MEETING:
Tuesday, October 13, 2026, 6:00 PM

BLOOMINGTON COMMISSION ON
SUSTAINABILITY AND RESILIENCE

MINUTES
SPECIAL JOINT MEETING
BLOOMINGTON COMMISSION ON SUSTAINABILITY AND RESILIENCE AND ENVIRONMENTAL COMMISSION

Council Chambers, City Hall
401 N Morton St, Bloomington, IN 47404

Tuesday, September 15, 2026

FOR APPROVAL

BCOSR Commissioners Present In-Person: Tara Dunderdale, Justin Vasel, Rebecca Payne, Christopher Miles (arrived 6:17 PM), Zach Ammerman, Dave Rollo, Alex Jorck, Maria Aarstad, Diana Ogrodowski, Ross Carlson

BCOSR Commissioners Absent: Therese Dorau

EC Commissioners Present In-Person: Justin Meschter, Adam Martinez, Karl Gaisser, Carrie Albright, Matt Caldie

EC Commissioners Absent: Mitchell Owens, Heidi Brown

Commissioners Present Virtually: None

Staff Present: Shawn Miya, Jolie Perry

1. CALL TO ORDER

BCOSR Chair Justin Vasel called the special joint meeting of the Bloomington Commission on Sustainability and Resilience (BCOSR) and the Environmental Commission (EC) to order at 6:01 PM.

2. ROLL CALL AND QUORUM DETERMINATION

The roll was called separately for each commission. Both BCOSR and EC had a quorum.

Chair Vasel reviewed the procedures for the joint meeting. Final actions, such as adopting an amendment or the resolution, would be decided by separate roll call votes of each commission. Procedural matters, such as motions and seconds, would be handled by the joint body as a single meeting under Robert's Rules of Order.

3. APPROVAL OF AGENDA

No changes to the agenda were offered.

ACTION: Commissioner Ammerman (BCOSR) moved to approve the agenda. Commissioner Caldie (EC) seconded. The motion passed unanimously by voice vote, with no abstentions.

4. OPENING REMARKS FROM CHAIRS

a. BCOSR Chair, Justin Vasel

Chair Vasel welcomed the Environmental Commission and thanked staff from both commissions, the commissioners who researched and drafted the resolution, and the members of the public who wrote in support. He reviewed the history of collaboration between the two commissions since the first BCOS meeting in October 2005, including joint energy forums in 2006, shared Earth Day tables, climate forums, and film screenings; joint committees on climate, greenhouse gas emissions, and education in the 2000s; a BCOS seat on the EC's planning committee in the 2010s; joint meetings with mayors and joint letters; and coordination between BCOS's Sustainability Trends Assessment and the EC's Bloomington Environmental Quality Indicators report. He expressed hope that joint meetings like this one would become a template for other commissions.

b. EC Chair, Carrie Albright

Chair Albright thanked BCOSR, staff, and the public for their work and input. She noted that the EC began discussing dark sky status a couple of years ago, first raised by Commissioner Martinez and developed further with Commissioners Caldie and Gaisser, and that BCOSR's resolution was an ideal way for the two commissions to advance that work together. She looks forward to additional collaboration.

5. OPENING REMARKS FROM RESOLUTION AUTHORS

a. BCOSR Lead Author, Zach Ammerman

Commissioner Ammerman summarized the memorandum and resolution. The primary goal is to meaningfully reduce light pollution in Bloomington, with Dark Sky community status as a potential outcome. Using the DarkSky community standards, he identified gaps in the City's lighting code. The resolution would:

- Lower allowed color temperature for lighting.
- Establish an amortization schedule requiring all light fixtures to comply with the code within 10 years.
- Restrict exterior uplighting, except for flags.
- Require a warrant for new public lighting, with a higher standard near environmentally sensitive areas.
- Extend the lighting curfew to all mixed-use and nonresidential districts, and move 11:00 PM curfews to 10:00 PM.
- Strengthen restrictions on illuminated signage and rules on light trespass.

He also presented 311 data showing that complaints about harsh or glaring streetlights averaged 11 per year in the decade before the City began installing higher color temperature (bluer, harsher) streetlights around 2022, and have exceeded 100 per year since.

b. EC Lead Author, Matt Caldie

Commissioner Caldie emphasized the effects of light pollution on people and the environment, including emissions from unnecessary lighting and the disruption of nocturnal animals and insects, with effects throughout the food web.

6. PUBLIC COMMENT

There was no public comment in person or online. Chair Vasel noted that the commissions received 11 letters from the public over the past month, all in support of the resolution. The letters are included in the meeting packet.

7. BCOSR RESOLUTION 2026-06 / EC RESOLUTION 2026-01

a. Motion to Adopt

ACTION: Commissioner Jorck moved to adopt the resolution. Commissioner Carlson seconded.

Commissioner Aarstad expressed concern that the resolution recommends extensive UDO changes whose implications, including for economic development, are not yet fully understood. She suggested focusing first on the general recommendations to inventory City lighting and establish a sky quality measurement program, so that baseline data is available before code changes are made.

Several commissioners responded that the commissions' advisory role is to provide research and their strongest recommendations, a roadmap toward reducing light pollution, and that the Council can decide how and when to implement them. Commissioner Caldie suggested that the general recommendations could be placed before the UDO recommendations. Commissioner Dunderdale highlighted a letter in the packet showing that light pollution from Bloomington rivals that of Indianapolis and affects surrounding communities.

Council Member Rollo thanked the commissions and stated that he would abstain because he has not yet been able to gather input on the proposal from his constituents. He shared with the commissions a follow-up email from Liz Irwin, Government and Community Relations Manager at Duke Energy, describing Duke Energy's gradual replacement of 4000K streetlights with 3000K streetlights, and encouraged the commissions to aim lower, such as the 2200K recommended in the resolution.

b. Proposed Amendment Included in the Packet

ACTION: Commissioner Caldie moved to consider the amendment included in the packet. Commissioner Jorck seconded.

Commissioner Ammerman explained that he drafted the amendment in response to Commissioner Aarstad's written comments. It would remove the 10-year amortization requirement in Section 1a, remove references to Dark Sky status, and clarify that new requirements apply primarily to public lighting. Removing the amortization requirement would make Dark Sky certification unattainable.

Commissioner Caldie supported the amendment as still strong but less burdensome for staff. Commissioner Miles asked what would serve as an enforcement backstop without certification; Commissioner Ammerman responded that existing code already requires compliance during

substantial renovations and that the public lighting provisions are unchanged. Chair Albright noted concerns about the resources the resolution would require and said the amendment would give departments flexibility on timelines. Commissioner Dunderdale preferred the original version. Commissioner Jorck suggested providing both versions to the Council and noted that DarkSky International is moving to a performance-based certification, under which Bloomington is unlikely to qualify unless it shows progress soon. Commissioner Ogrodowski supported either version but asked that dark sky status be mentioned if the amendment passed. Commissioner Aarstad said she would likely vote no or abstain on either version. Commissioner Ammerman stated that he would vote against the amendment, preferring the original resolution.

Without objection, the commissions agreed that subsection lettering would be updated to reflect any sections struck by the amendment.

ACTION: The motion to adopt the amendment failed. BCOSR roll call vote: 3 yes, 5 no, 2 abstentions. EC roll call vote: 1 yes, 3 no, 1 abstention.

c. Recess

ACTION: Commissioner Jorck moved to recess for three minutes. Commissioner Carlson seconded. The motion passed unanimously by voice vote, with no abstentions. The commissions recessed at 7:05 PM and reconvened at 7:09 PM.

d. Proposed Amendment to Attach an Alternative as Exhibit A

ACTION: Commissioner Jorck moved to amend the resolution to recommend its adoption as presented and to transmit the proposed amendment to the City Council, attached as Exhibit A, as an alternative for its consideration. Commissioner Gaisser seconded.

A commissioner asked whether the motion could also convey the urgency of pursuing Dark Sky certification before the certification process changes; commissioners agreed that this could be addressed separately by letter. Commissioners Carlson and Ammerman opposed the motion, stating that the commissions should send a unified recommendation and that the alternative had just been voted down. Commissioner Jorck stated that the alternative would give the Council options and the best chance of passing a measure on the first attempt. Commissioners noted that the proposed amendment is part of the public record and that the transmittal could mention that it is available in the packet.

ACTION: The motion failed. BCOSR roll call vote: 1 yes, 6 no, 3 abstentions. EC roll call vote: 1 yes, 3 no, 1 abstention.

e. Vote on Adoption

A commissioner asked why the general recommendations direct City of Bloomington Utilities, rather than Public Works, to conduct the lighting inventory. Staff noted that Public Works is responsible for street lighting maintenance, repair, and planning; commissioners agreed this detail could be corrected at the Council level. Council Member Rollo proposed that the Council periodically hold deliberative sessions in Council Chambers with staff, commissioners, and the public on topics such as this one, and offered to sponsor them.

ACTION: The motion to adopt the resolution as originally presented in the packet passed. BCOSR roll call vote: 8 yes, 1 no, 1 abstention. EC roll call vote: 4 yes, 0 no, 1 abstention. BCOSR Resolution 2026-06 / EC Resolution 2026-01 is adopted.

8. CLOSING REMARKS

Commissioner Gaisser thanked both commissions and City staff.

9. ADJOURNMENT

ACTION: Commissioner Carlson moved to adjourn. Commissioner Ogrodowski seconded. The motion passed by voice vote, with no abstentions. The meeting adjourned at 7:30 PM.

NEXT BCOSR MEETING:
Tuesday, October 13, 2026, 6:00 PM

Capstone Project Proposal: Social Housing Scenario Study for Bloomington/Monroe County

Sponsor: Bloomington Commission on Sustainability and Resilience

Primary Contacts: Zach Ammerman, Vice Chair; Alex Jorck, Commissioner

Purpose

Local governments across the U.S. are launching publicly owned, mixed-income ("social housing") programs modeled on long-running systems in Vienna, France, Singapore, and elsewhere. The most developed American example is in Montgomery County, Maryland, where the local Housing Opportunities Commission created an initial $50 million revolving Housing Production Fund that finances construction, takes a public ownership stake upon project completion, and recycles the capital into the next project. The fund performed so well that the County Council doubled the fund to $100 million[1], and it is now projected to support roughly 6,000 new units over 20 years, about 30% of them permanently affordable[2], at a net annual cost to the county of well under $1 million. All of this was done in a county with a much higher population than Monroe County, and with higher housing and construction costs. Local demand for housing produced under the program is very high.

This project aims to answer a simple question: What would that model produce here? If Bloomington (or Monroe County) made an initial investment similar to Montgomery County, Maryland, in a similarly structured revolving housing production fund, how many publicly owned, mixed-income units could be built, on what timeline and at what net public cost?[3]

Suggested Research Questions:

1. **How do established social housing systems work** – ***briefly***, at the structural level (Vienna, France, and Montgomery County, plus newer systems in Chicago and Seattle)? What are the common mechanics that make them self-sustaining? *The background review here should be concise. The goal of this question is to ground students and readers of the report unfamiliar with social housing, but not to conduct a full literature review. The value of this project is in the final numbers – Question 3.*

---

[1] About the Housing Production Fund

[2] Probuilder: An Innovative Financing Model for Affordable Housing

[3] ***Note on Commission Mandate:*** *This study falls within the Commission's purview under Bloomington Municipal Code (BMC) 2.02.120, which states that the UN Sustainable Development Goals (SDGs) "shall guide the commission's work" and defines sustainability across environmental, social, and economic dimensions. Access to adequate, affordable housing is a core target of the SDGs (Goal 11.1) and housing is additionally addressed in the sustainability components of the city's comprehensive plan. A study of publicly owned, mixed-income housing which aims to increase the availability of affordable housing in Bloomington (and which additionally includes an explicit evaluation of energy-efficiency implications) combines aspects of all three dimensions that the BMC directs the Commission to use to guide its work.*

DRAFT

2. **Briefly, what does Indiana law permit?** What legal, statutory, and budgetary constraints would shape a local program? In particular, students could examine whether the Bloomington Housing Authority would be an appropriate vehicle: What functions does the BHA have under current law, and what would it need that it currently lacks? *If specific provisions of state or local law present obstacles, students should identify potential workarounds or alternative structures that achieve the same or substantially similar ends, or identify specific statutory changes that would be required, and then proceed with the scenario modeling on that basis. Legal difficulty is an input to the model. This does not need to be an in-depth/comprehensive legal review, just a section flagging potential obstacles and possible workarounds.*
3. **The core of the project**, and this should be the bulk of the study: **A scenario model for a local revolving housing production fund**. At initial investments of several different sizes, how many units could be built over 1, 5, 10, 20 years? The exact range of years may be changed based on class needs, but a range of timelines should be modeled. What is the projected net annual cost to the local government under each scenario? How do outcomes change as key inputs change; e.g. fund size, interest rate charged on construction loans, local land and construction costs, rent mix (different percentage market rate vs. affordable), project scale, etc.? Which inputs matter most, and *what combination of inputs produces the greatest output per public dollar?*
    i. Possible sub-question: What tenure and recertification rules should a local program adopt for income-restricted units? Options range from annual recertification with income ceilings, common with many housing programs in the U.S., to the Vienna approach, where tenants instead certify income once upon initial occupation but may remain in their homes permanently if/when their incomes rise. Students should briefly assess how each choice affects the program's finances (i.e. does following the Vienna model of allowing tenants with rising incomes to remain in their homes strengthen the cross-subsidy rather than weaken it?) and recommend an approach.
4. Possible additional question: Briefly, should the program be structured at the **city level, county level, or perhaps regional level,** or should it be operated jointly?

Parameters

The end state being modeled is public ownership of the housing with mixed income levels present in all buildings, consistent with the Vienna approach and the standard definition of social housing. This is not a study of vouchers, subsidies to private developers or traditional low-income-only public housing.

The Commission requests a bold, concrete, quantifiable answer to "what could we build here and what would it cost," including ambitious but defensible scenarios, not only conservative ones. Recommendations and questions should all be structured around answering the core question of producing the greatest number of units per public dollar.

DRAFT

As one modeled input, **students should include the cost and operating implications of building to a high energy-efficiency standard**, so the Commission can see how sustainability requirements affect the financial picture rather than treating them separately. Montgomery County itself treats efficiency as a financing input.[4]

Deliverables

A written report centered on the scenario model (Question 3), with clear tables showing investment levels, units produced, timelines, and net public cost; a summary of the path under current Indiana law; and a brief set of recommendations on the most feasible structure to pursue and investment levels. A presentation will be held during a public hearing at the end of the project in order to present the findings to the Commission.

Logistics

The Commission meets monthly and will be available to students to answer questions and provide interim feedback throughout the project, through the primary contacts between meetings or directly at our monthly public meetings, which are held the second Tuesday of every month at 6 pm in the McCloskey Conference Room of City Hall (Room 135 on the first floor, just past the City Council chambers) and online via Zoom (meeting information is posted here). Connections with the Bloomington Housing Authority or other city or county agencies (HAND, Monroe County Building Department, etc.) can also be facilitated through the Commission, or contacted independently.

DRAFT

[4] MoCo leaders break ground on 413-unit mixed-income community near Shady Grove Metro

BLOOMINGTON COMMISSION ON
SUSTAINABILITY AND RESILIENCE

September 8, 2026

Mayor Kerry Thomson
City of Bloomington
401 N. Morton Street
Bloomington, Indiana 47404

Re: Status of the City's transition away from Flock Safety products and services

Dear Mayor Thomson:

The Bloomington Commission on Sustainability and Resilience (BCOSR) respectfully requests an update on the status of the City's transition away from Flock Safety products and services. The Commission brings this request pursuant to BMC 2.02.120(h)(2), which charges it to advise and make recommendations to the Common Council, the city administration, and city boards and commissions on policies and programs that infuse the work of city government with an operating philosophy based on sustainability and community resilience, and in follow-up to BCOSR Resolution 2026-02[1], which the Commission adopted unanimously on March 10, 2026. At its regular meeting on September 8, 2026, the Commission voted 9-0 to transmit this request.

The Commission recognizes the significance of the decision announced on April 15, 2026[2] not to renew the City's agreement for Flock license plate reader services, and notes the Office of the Mayor's confirmation in late July that all license plate readers have been removed[3]. The questions below are informed by supportive public comment and contract documents the City released in response to public records requests and by payment records published on the City's financial transparency portal. The Commission asks them so that it may accurately advise the Common Council and the administration on this matter, as contemplated by BMC 2.02.120(h)(2).

The Commission respectfully requests responses to the following:

1. Status of equipment.
The April 15, 2026 announcement disclosed 11 permanently mounted license plate reader cameras, four permanently mounted video cameras, and four mobile trailer systems. The Office of the Mayor's late-July statement addressed the license plate readers, and the Commission has not identified a subsequent public statement addressing the video

[1] BCOSR Resolution 2026-02
[2] News Release: "City of Bloomington Transitions Away from Flock Use After Months-Long Evaluation
[3] B Square Bulletin: "Monroe County Commissioners Vote To End Flock Contract; Remove Six License Plate Cameras"

cameras or the mobile trailers, which the City's agreements indicate remain the property of Flock Group Inc.

> For each category of equipment disclosed on April 15, 2026, on what date did the equipment cease operating, and has it been removed and returned to Flock Group Inc.? If any equipment remains installed or in the City's possession, what is the anticipated timeline for its removal or return? For equipment that remains, what are the plans to block functionality pending removal?

2. Status of the October 2025 agreement. An order form[4] executed on or about October 1, 2025 between Flock Group Inc. and the Bloomington Police Department provides for a 24-month initial term, an annual recurring amount of $90,000, and a contract total of $180,000, and provides that it renews automatically unless either party gives notice of non-renewal at least 30 days before the end of the then-current term.

> Is that agreement currently in effect? What is its expiration date, and has the City given notice of non-renewal? The Commission would welcome a copy of the operative agreement and of any notice of non-renewal or, if more convenient, a citation to where these are publicly available.

3. Relationship between agreements. The same order form provides, under Special Terms, that "[t]his Agreement supersedes any and all previously executed agreement between the Parties, relating to the provision of services by Flock to Customer," and that "[u]pon execution of this Agreement, all previously executed agreements pertaining to the Services provided shall run coterminous with the Term of this Agreement."

> How does the expiration of the license plate reader services agreement on March 5, 2026 relate to that provision? The Commission has not been able to reconcile the two and would appreciate additional insight.

4. Agreements currently in effect. The City's published payment records[5] include a payment of $15,000 on February 28, 2025 for four Flock Condor PTZ cameras and an implementation fee, and a payment of $12,000 on January 16, 2026 described as year two of service for those cameras. The Commission has not located an order form or agreement governing that purchase.

> Please identify every agreement, order form, addendum, or subscription between the City of Bloomington and Flock Group Inc. that is currently in effect, together with its term and expiration date, including the instrument governing the Condor PTZ cameras. The Commission would welcome copies or, if more convenient, citations to where they are publicly available.

5. Access to the Flock Safety Platform. The October 2025 order form includes a subscription to the Flock Safety Platform (Essentials), the described features of which

---

[4] INV-76020 and accompanying purchase form
[5] Bloomington Open Finance Platform

include Community Network Access, State Network and Nationwide Network license plate lookup, and Law Enforcement Network Access. These capabilities operate independently of cameras owned or operated by the City.

> Do the Bloomington Police Department or any other City department or personnel currently have access to the Flock Safety Platform, including any of the network features described above? If such access has been terminated, on what date was it terminated?

6. Data disposition and replacement technology. The April 15, 2026 announcement stated that the City would evaluate other technologies and providers. Common Council Resolution 2026-04[6], adopted March 4, 2026, paused expansion of the City's automated license plate reader program and stated the Council's intent to develop a surveillance governance ordinance.

> Has the City sought or obtained confirmation from Flock Group Inc. that data collected by City cameras has been deleted, and do any provisions of the City's agreements grant Flock Group Inc. a continuing right to retain or use that data following termination? Separately, does the City plan to, or has the City entered into, or begun negotiating, any agreement with any vendor for automated license plate reader technology or comparable surveillance systems?

The Commission would be grateful to receive a written response by Friday, October 9, 2026, so that it may consider the response at its regular meeting on October 13, 2026. If the City is unable to provide a response to any individual item, the Commission would appreciate an indication of the reason. In addition to a written response, the Commission would welcome the opportunity to receive a briefing from the administration at one of its regular meetings.

We appreciate the administration's attention to this matter and look forward to your response.

Respectfully,



Justin Vasel
Chair, Bloomington Commission on Sustainability and Resilience
justin.vasel@gmail.com

The views expressed here are solely those of the Bloomington Commission on Sustainability and Resilience, as approved in their public meetings, and do not necessarily reflect the views, policies, or positions of the City of Bloomington. Only the Office of the Mayor has the authority to issue policy statements on behalf of the Executive Branch of the City of Bloomington.

---

[6] Bloomington Common Council Resolution 2026-04

Gmail Justin Vasel <justin.vasel@gmail.com>

BCOSR Request for Information — Status of the City's Transition Away from Flock Safety

City of Bloomington Office of the Mayor <mayor@bloomington.in.gov> Mon, Sep 14, 2026 at 12:54 PM
To: Justin Vasel <justin.vasel@gmail.com>
Cc: Gretchen Knapp <gretchen.knapp@bloomington.in.gov>, sustain@bloomington.in.gov, Jane Kupersmith <jane.kupersmith@bloomington.in.gov>

Chair Vasel,

Thank you for forwarding the Commission's letter. The administration is addressing this topic through our ongoing collaboration with the Common Council, and we will continue to move the work forward there.

Thank you for your continued service to the City.

All Best,
Kerry

Kerry Thomson
Mayor of Bloomington
City of Bloomington | 401 North Morton Street
812-349-3406 | bloomington.in.gov

CITY OF BLOOMINGTON

On Wed, Sep 9, 2026 at 9:13AM Justin Vasel <justin.vasel@gmail.com> wrote:

> Dear Mayor Thomson,
>
> At its regular meeting on September 8, 2026, the Bloomington Commission on Sustainability and Resilience voted 9-0 to transmit the attached letter, which requests an update on the status of the City's transition away from Flock Safety products and services. The request is brought pursuant to BMC 2.02.120(h)(2) and follows from BCOSR Resolution 2026-02.
>
> The letter sets out six items and asks for a written response by Friday, October 9, 2026, so that the Commission can consider it at its October 13 regular meeting. The Commission would also welcome the opportunity to receive a briefing from the administration at one of its meetings, should that be useful to your office.
>
> I'm glad to work with your staff on timing, or on the most convenient way to provide the documentation referenced in the letter.
>
> Thank you for your attention to this.
>
> Respectfully,
>
> **Justin Vasel, Ph.D.** (he/him)
> Chair, Bloomington Commission on Sustainability and Resilience
> justin.vasel@gmail.com
>
> *The views expressed here are solely those of the Bloomington Commission on Sustainability and Resilience, as approved in their public meetings, and do not necessarily reflect the views, policies, or positions of the City of Bloomington. Only the Office of the Mayor has the authority to issue policy statements on behalf of the Executive Branch of the City of Bloomington.*

BLOOMINGTON COMMISSION ON
SUSTAINABILITY AND RESILIENCE

Passed X-Y-Z

Sponsor:
Zach Ammerman

RESOLUTION 2026-07

ENHANCING THE CITY'S PROTECTION OF SIGNIFICANT AND HERITAGE TREES

WHEREAS, Indiana was once more than 80% covered by woods, with its 20 million acres of primeval forest nearly long enough to encircle the globe one and a quarter times in a mile-wide band; early Europeans arriving in the region that would later become our state described a realm of forests without end, naturalists who had explored the jungles of South America were mesmerized by the size of our trees and the seeming endlessness of the woodland expanse, they described multitudinous trees in the range of 200 feet tall, 90 feet to the first limb, and 25 feet in girth, and sycamore trees so large that 29 men were able to stand side-by-side within one's trunk[1]; and

WHEREAS, almost immediately after the arrival of Europeans and the forced removal of the indigenous peoples of Indiana, who had managed the forest sustainably for endless generations, the once-expansive forests of Indiana declined measurably in size, and by 1870 tens of millions of acres had been consumed by ax and plow and, like the buffalo, passenger pigeon, wolves, bears, and mountain lions who once called our state home, were replaced by hubris, so that today there remains scarcely enough old growth forest in the entire state to cover the Indianapolis Motor Speedway[2]; and

WHEREAS, Bloomington sits in the midst of the only region of Indiana surrounded by relatively intact forests, forests that were restored after past destruction and as such are living monuments to the potential of human stewardship and renewal, the last bastion of the state whose land remembers what it once resembled, and as such our city bears a special responsibility to maintain, restore—and yes, expand—its forest canopy for present and future generations; and

WHEREAS, the Bloomington Commission on Sustainability and Resilience is established under BMC §2.12.100 with broad authority to advise and make recommendations to the Common Council, city administration, and other city boards and commissions on policies and programs related to sustainability and community resilience; to advise, consult, and cooperate with other agencies, boards, and commissions of the City on matters of sustainability; and to assess Bloomington's current and future sustainability status in cooperation with city staff and other boards and commissions; and

WHEREAS, the preservation of urban tree canopy and ecosystems is central to sustainability and community resilience, and recommendations spanning the Unified Development Ordinance, the Bloomington Municipal Code, and citywide environmental policy fall squarely within this mandate; and

DRAFT

[1] *Indigenous Prosperity: Indiana Women of the Ohio River Valley*. Susan Sleeper-Smith
[2] Ibid.

WHEREAS, the Bloomington Tree Commission under BMC §2.20.150(1)(a) is charged with advising the Board of Park Commissioners primarily on urban forestry policies as set forth in BMC Chapter 12.24, and may under §2.20.150(1)(d) advise other bodies on tree-related matters as necessary; and

WHEREAS, this resolution addresses matters both within and beyond the Tree Commission's statutory scope, including amendments to the Unified Development Ordinance, strategies relating to enforcement of tree-related infractions, and citywide canopy policy; and

WHEREAS, the Common Council has established several city commissions with overlapping goals and mandates, in the recognition that cooperation and collaboration are critically important aspects of good municipal government; and

WHEREAS, the Commission on Sustainability and Resilience deeply values the Tree Commission's expertise in urban forestry operations and looks forward to its collaboration and input on the implementation of these recommendations; and

WHEREAS, heritage and significant trees are irreplaceable ecological assets that take decades or centuries to mature, providing stormwater absorption, air filtration, carbon sequestration, urban cooling, wildlife habitat, and soil stabilization at levels that newly planted trees cannot approach for generations; a single mature tree can intercept thousands of gallons of stormwater annually, sequester hundreds of pounds of carbon, and reduce surrounding air temperatures by several degrees; and

WHEREAS, Bloomington became the first city in Indiana to receive Tree City USA designation from the Arbor Day Foundation in 1984, has maintained that designation for over 40 consecutive years, and has been named a Tree City of the World by the Arbor Day Foundation and the United Nations Food and Agriculture Organization; the Commission commends this legacy and believes the city is well-positioned to build on it by closing the significant gaps in its code that currently leave the vast majority of Bloomington's trees unprotected; and

WHEREAS, many cities across the country and internationally have adopted strong protections for significant and heritage trees on both public and private property, including permit requirements, mandatory replacement ratios, and meaningful penalties for unauthorized removal, and a non-exhaustive list of these include Atlanta, GA; Austin, TX; Seattle, WA; Savannah, GA; San Francisco, CA; Portland, OR; Charlotte, NC; Ann Arbor, MI; Asheville, NC; Charlottesville, VA; Somerville, MA; Chapel Hill, NC; Athens, GA; and Gainesville, FL; and

WHEREAS, several of the aforementioned cities protect trees as small as 6 inches in diameter at breast height by right, including those that are dead, diseased, or dying and those that are on private property, requiring a permit and replacement for their removal even outside of development contexts, permits which can be and often are denied[3]; and

DRAFT

[3]*Some examples: Atlanta protects trees by right starting at 6" DBH, including on private property outside of development, and requires a permit for their removal, even if they are dead or dying. Seattle "generally prohibits" removing any healthy tree over 6" DBH, with few exceptions, and requires a permit for their removal. Somerville, MA, has similar rules to Atlanta, but starts protecting trees at 8" DBH. Ann Arbor's landmark tree threshold is species-specific, and starts as low as 8" for native understory trees.*

WHEREAS, very few other cities in the state of Indiana currently define or offer any degree of protection for heritage trees in development, or any degree of protection for trees on private property outside of development; and

WHEREAS, Bloomington's current code only provides relatively limited protection for trees on public property or in the public right-of-way, and limited protections in development review but only on sites with “closed-canopy wooded areas”; and

WHEREAS, BMC §12.24.075 provides some protections for trees during construction and the Urban Forester currently applies an “equal value” replacement standard based on professional discretion; the Commission commends this practice and the quality and value of the work generally provided by the Urban Forester, and believes that formally codifying clear, consistent standards for tree replacement would strengthen and build upon the framework the Urban Forester has already established; and

WHEREAS, Bloomington’s municipal code currently contains no explicit special protections for significant or heritage trees and, while the term “heritage tree” is used, it does not explicitly define any of these terms; and

WHEREAS, outside of extremely limited and specific exceptions, there are no significant protections in Bloomington's municipal code for trees on private property, regardless of their size, age, species, or ecological value; a property owner may remove any tree, including an enormous heritage tree that has stood for centuries, without notice, permit, replacement, or consequence; and

WHEREAS, the urban tree canopy is one of the most effective and cost-efficient tools available to municipalities for adapting to the effects of climate change, including increasing temperatures, more intense rainfall events, declining air quality, and urban heat island effects; and

WHEREAS, according to the draft 2026-2036 Urban Forestry Master Plan, Bloomington's canopy coverage currently stands at approximately 38% and has declined by 2% over the past two decades, a trend that if left unchecked will compound the impacts of climate change on the city's residents, infrastructure, and ecosystems at precisely the time those impacts are accelerating.

NOW THEREFORE, BE IT HEREBY RESOLVED BY THE BLOOMINGTON COMMISSION ON SUSTAINABILITY AND RESILIENCE, THAT:

The Commission respectfully recommends that the Common Council make the following changes to the Unified Development Ordinance (UDO) and the Bloomington Municipal Code (BMC) in order to bring Bloomington into line with or exceed national and international peer city benchmarks on tree protection in our city. Upon review of peer cities, it is noted that the protections to trees under the UDO would make Bloomington a national leader in tree protection in development contexts, and the changes to the BMC would make the city the first in the state to pass any type of protection for heritage trees on private property.

SECTION 1. Definitions and General Recommendations

DRAFT

(1) That the Common Council amend BMC § 12.24.010 by adding the following definitions in alphabetical order:
   (a) *"Heritage tree"* means any tree with a diameter at breast height (DBH) equal to or exceeding twenty-four (24) inches.
   (b) *"Significant tree"* means any tree with a diameter at breast height (DBH) equal to or exceeding twelve (12) inches.

(2) That the Common Council amend UDO Chapter 20.07 (Definitions) by adding the following definitions (identical to (1) above):
   (a) *"Heritage tree"* means any tree with a diameter at breast height (DBH) equal to or exceeding twenty-four (24) inches.
   (b) *"Significant tree"* means any tree with a diameter at breast height (DBH) equal to or exceeding twelve (12) inches.

(3) That the Common Council amend BMC § 12.24.010 by adding the following definition in alphabetical order:
   (a) *"Exempt tree"* means a tree that has been declared dead, dying, invasive, hazardous, or highly deleterious to public infrastructure by a licensed arborist or the Urban Forester. Exempt trees shall not be subject to the protections, replacement requirements, or notification obligations established for significant trees and heritage trees under this chapter or under UDO § 20.04.030(h), except as otherwise provided.

(4) That trees felled as part of legitimate agricultural or continuously operating forestry operations shall be exempted from the provisions of this resolution, as required by Indiana law (but unlikely to legitimately apply to any context within the city limits)

SECTION 2. Recommendations for Strengthening Tree Protection During Development

(1) That the Common Council amend UDO § 20.04.030(h)(1) (Applicability) by striking the current text in its entirety and replacing it with the following:
   (a) **"(1) Applicability**. This section shall apply to all projects requiring a permit from the Planning and Transportation Department that involve construction, land disturbance, or demolition."

(2) That the Common Council amend UDO § 20.04.030(h) by adding a new subsection (8), titled "Protection of Heritage Trees During Development," to read:
   (a) "(8) Protection of Heritage Trees During Development.
      (i) (A) No heritage tree shall be removed as part of any development project subject to this section unless the applicant demonstrates to the satisfaction of the Planning and Transportation Department that it is physically impossible to complete the project without removing the tree, and that no reasonable redesign of the project can avoid the removal.
      (ii) (B) Any application to remove a heritage tree under subsection (A) shall include a written statement from a licensed arborist or the Urban Forester documenting the infeasibility of avoidance, and shall be subject to review and approval by the Planning and Transportation Department in consultation with the Urban Forester."

(3) That the Common Council amend UDO § 20.04.030(h) by adding a new subsection (9), titled "Replacement Requirements for Significant and Heritage Trees," to read:
   (a) "(9) Replacement Requirements for Significant and Heritage Trees.
      (i) (A) Any significant tree removed as part of a development project subject to this section shall be replaced at a ratio of three-to-one (3:1) caliper-inches. For example, removal of a significant tree measuring twelve (12) inches DBH shall require replacement planting cumulatively totaling thirty-six (36) caliper-inches.
      (ii) (B) Any heritage tree removed as part of a development project subject to this section shall be replaced at a ratio of four-to-one (4:1) caliper-inches.

DRAFT

(iii) (C)Replacement trees shall be native species selected from the approved species list established under UDO § 20.04.080(d)(1).

(iv) (D) Replacement trees shall be planted on the development site. Where the applicant demonstrates that sufficient planting space does not exist on the site, the applicant shall pay the equivalent cost of the required plantings, as determined by the Urban Forester, into the city tree planting fund."

(4) That the Common Council amend UDO § 20.04.030(h) by adding a new subsection (10), titled "Enforcement of Replacement Obligations," to read:

(a) **"(10) Enforcement of Replacement Obligations.** No certificate of occupancy, certificate of zoning compliance, or new development permit shall be issued for any project subject to subsection (9) until the applicant has fulfilled all replacement planting obligations or posted a performance bond in the amount of the estimated cost of the required plantings, as determined by the Urban Forester."

(5) That the Common Council amend UDO § 20.04.110(c) (Incentives, Sustainable Development) by adding a new incentive to read:

(a) **"Canopy Retention Incentive.** Developments that meet or exceed the canopy retention requirements of § 20.04.030(h)(2) shall be eligible for increased density incentives as provided in this subsection."

(6) That the Common Council amend UDO § 20.04.030(h)(2) replacing the values in column 2 of Table 04-8 with the values in column 3 below:

Proposed changes to UDO Table 04-8

Baseline Tree Canopy Cover	CURRENT Retention Requirement	PROPOSED Retention Requirement
80-100%	50%	**60%**
60-79%	60%	**70%**
40-59%	70%	**80%**
20-39%	80%	**90%**
0-19%	90%	**100%**

(7) That the Common Council add the following sentence to the end of UDO § 20.04.030(h)(2):

(a) "Compliance with the canopy retention requirements of this subsection shall not relieve an applicant of the obligations established under subsections (8), (9), and (10) for the protection and replacement of individual significant and heritage trees."

(8) That the Common Council amend UDO § 20.04.030(h)(4) (Smaller Parcels) by adding the following sentence at the end:

(a) "This subsection shall not apply to any site containing one or more heritage trees as defined in Chapter 20.07."

SECTION 3. Recommendations for Tree Protection Outside of Development Contexts.

(1) That the Common Council amend BMC § 12.24.000 (Purpose and intent) by striking the current text in its entirety and replacing it with the following:

DRAFT

(a) "It is the purpose of this chapter to regulate any and all work, care, enforcement, and maintenance of all flora on public property and in the public right-of-way, and to protect heritage trees throughout the city regardless of land ownership.

(b) It is the intent of this chapter to establish the responsibilities of the city and its residents regarding all flora subject to these provisions and to assure regulations and policies maintain and increase the tree canopy within the city.

(c) The Common Council finds that heritage trees provide measurable public environmental services including stormwater absorption, urban cooling, air quality improvement and particulate filtration, noise reduction, carbon storage, reduction of urban heat island effects linked to heat-related illness, mental health benefits associated with access to mature tree canopy, and wildlife habitat, and that their protection is therefore an exercise of the city's police power to safeguard public health and welfare."

(2) That the Common Council amend BMC Chapter 12.24 by adding a new section, BMC § 12.24.055, titled "Heritage tree protection on private property," to read:

(a) "12.24.055 **Heritage tree protection on private property.**

(i) **(1) Notification Requirement.** Any property owner intending to remove a heritage tree, as defined in § 12.24.010, outside of any development activity subject to UDO § 20.04.030(h) shall provide written notice to the Urban Forester at least thirty (30) days before removal. The notice shall identify the tree by species, location, and approximate diameter at breast height. No fee shall be charged for filing such notice.

(ii) **(2) Replacement Obligation**. Upon removal of a heritage tree under this section, the property owner shall complete replacement planting at a ratio of four-to-one (4:1) caliper-inches using native species from the approved species list established under UDO § 20.04.080(d)(1). Where the property owner demonstrates that sufficient planting space does not exist on the site, the property owner shall pay the equivalent cost of the required plantings, as determined by the Urban Forester, into the city tree planting fund.

(iii) **(3) Contractor Requirements.** Property owners shall provide a copy of the written notice acknowledged by the Urban Forester to any contractor performing the removal of a heritage tree under this section. Contractors shall retain a copy of such notice on file for a period of not less than three (3) years. A contractor found to have removed a heritage tree without a copy of the acknowledged notice on file shall be subject to a fine as provided in § 12.24.120 and may be subject to suspension of tree work permit eligibility for a period no less than three months and no more than one year.

(iv) **(4) Emergency Exception.** A heritage tree that presents a documented, verifiable, and imminent hazard to persons or property may be removed without prior thirty-day notice to the Urban Forester. The property owner shall notify the Urban Forester within five (5) business days following emergency removal, and shall provide documentation of the imminent hazard, which may include photographs, a written statement from a licensed arborist, or other evidence. If the Urban Forester determines upon review that the tree did not meet the standard for imminent hazard, the replacement obligation under subsection (2) shall apply.

(v) **(5) Exempt Trees.** Trees meeting the definition of 'exempt tree' under § 12.24.010 shall not be subject to the notification or replacement requirements of this section."

(b) In order to limit possibilities of pre-emption by the state, it is recommended that this remain a notification and replacement obligation, not a permit, and that it be free-of-cost to file the notice. It is noted that a city requiring paid permits and prior approval for tree removal on private property would appear to not be explicitly barred by the state at this time, although it also appears that no jurisdiction in Indiana has yet attempted to do so.

DRAFT

(c) The contractor requirements in subsection (iii) above are recommended for enforcement and compliance purposes.
(d) The emergency exception in subsection (iv) above allows for emergency tree removal in the event of a documented, verifiable, and imminent hazard, while preserving the replacement obligation where the hazard standard was not met.

SECTION 4. Recommendations for Enforcement

1. That the Common Council amend BMC § 12.24.120 (Violation and penalties) by striking the current text in its entirety and replacing it with the following, in order to remain compliant with Indiana code (which limits fines for violations of municipal ordinances to $2,500 for first violations) while maintaining strict enforcement of these policies:
    a. "**12.24.120 Violation and penalties.**
    b. (1) Any person violating any of the provisions of this chapter may be issued an official warning.
    c. (2) Any person violating any of the provisions of this chapter shall, upon a written notice of violation (NOV), be subject to a penalty up to the statutory limit as described in Indiana Code Section 36-1-3-8, as amended.
    d. (3) Each individual tree removed in violation of this chapter shall constitute a separate offense subject to a separate penalty under subsection (2).
    e. (4) Failure to complete required replacement planting under § 12.24.055(2) or under UDO § 20.04.030(h)(9) within the time period specified by the Urban Forester shall constitute a continuing violation, with each calendar day of noncompliance constituting a separate offense subject to a separate penalty under subsection (2).
    f. (5) No certificate of occupancy, certificate of zoning compliance, or new development permit shall be issued to any person who has outstanding, unresolved replacement planting obligations under UDO § 20.04.030(h)(9) until such obligations are fulfilled or bonded.
    g. (6) In addition to the penalties provided in this section, the city may seek court orders through civil proceedings to recover costs associated with the remedy of violations under IC 36-1-6-2 and IC 36-1-6-4.
    h. (7) Before any permitted removal of a heritage tree during a development project subject to UDO § 20.04.030(h), the applicant shall post a performance bond in an amount determined by the Urban Forester sufficient to cover the full cost of required replacement plantings."

SECTION 5. Recommendations for the City's Own Tree Standards

1. That the Common Council amend BMC § 12.24.025 (Replacement of the urban tree stock) by striking the current text in its entirety and replacing it with the following:
    a. "**12.24.025 Replacement of the urban tree stock.**
    b. It is the policy of the city to maintain and expand the tree cover of the city as a whole and of individual streets and neighborhoods in particular by planting trees in accordance with practices observed by certified urban foresters. Overall, the city's annual goal shall be to plant at least twice as many trees as it removes, in order to maintain a planting-to-removal ratio of at least two-to-one (2:1). For significant trees removed from public property, the city shall replace at a ratio of three-to-one (3:1) caliper-inches, and

DRAFT

for heritage trees removed from public property, at a ratio of four-to-one (4:1) caliper-inches. Once a tree has been removed, it shall be replaced, wherever possible, at or near its original location as soon as the planting season permits. Further, an ongoing program of replacing previously removed trees and of planting in new areas shall be conducted. The city shall monitor and publicly report its annual planting-to-removal ratios on the city website or other appropriate platform."

2. That the Common Council amend BMC Chapter 12.24 by adding a new section, BMC § 12.24.026, titled "Citywide canopy goals," to read:
    a. "**12.24.026 Citywide canopy goals.**
    b. (1) It is the goal of the city that there shall be no net loss of tree canopy coverage from the 2018 baseline of thirty-eight percent (38%) citywide coverage as reported in the Bloomington Tree Canopy Summary Report (published September 2019, using 2018 NAIP data).
    c. (2) The city administration shall base all actions taken and policy developed regarding trees with the goal of increasing the city's canopy coverage beyond the 2018 baseline established in subsection (1)."

SECTION 6. Transmittal

1. The Chair shall, within ten (10) business days of the date of passage, transmit copies of this resolution, or delegate such task to the Vice Chair or Secretary, to the Mayor, to all members of the Common Council, to the Director of Economic and Sustainable Development, to the Director of Parks and Recreation, to the Bloomington Urban Forester, to the Director of Planning and Transportation, to the Director of Public Works, to the Director of Housing and Neighborhood Development, to the Chair of the Tree Commission, and to the Chair of the Environmental Commission.

2. The Chair shall additionally transmit a courtesy copy of the resolution to the Executive Director of Canopy Bloomington.

3. The staff liaison is requested to post a copy of the resolution on the Commission website within ten (10) business days of passage.

4. The Commission further authorizes the resolution author and any co-sponsor(s) to speak before the Common Council on behalf of the Commission in order to communicate the recommendations of this resolution as adopted.

PASSED AND ADOPTED by the Bloomington Commission on Sustainability and Resilience upon this ___ day of _____, 2026.

_____

Justin Vasel, Chair

Bloomington Commission on Sustainability and Resilience

DRAFT

BLOOMINGTON COMMISSION ON
SUSTAINABILITY AND RESILIENCE

The views expressed here are solely those of the Bloomington Commission on Sustainability and Resilience, as approved in their public meetings, and do not necessarily reflect the views, policies, or positions of the City of Bloomington. Only the Office of the Mayor has the authority to issue policy statements on behalf of the Executive Branch of the City of Bloomington.

DRAFT

MEMORANDUM

To: All members of the Bloomington Commission on Sustainability and Resilience
From: Zach Ammerman, Vice Chair
Date: Sept. 1, 2026
Subject: Explanations of Proposed Changes to Enhance Tree Protection in the City of Bloomington (Resolution 2026-07), a Closer Look at Bloomington's Current Canopy, and Comparison of Proposed Changes to Selected Cities

TABLE OF CONTENTS:

1. Introduction
2. Bloomington's Current Urban Canopy and Recent Trends
    a. Map 1: Bloomington's Tree Canopy Height from Meta/WRI High Resolution 1m Global Canopy Height Dataset
    b. Map 2: Bloomington Canopy Change from National Urban Tree Canopy Assessment
    c. Map 3: Forest Loss in Bloomington 2000–2024 based on Hansen et al.
    d. Selected historical satellite photos demonstrating areas with large canopy losses
3. Comparison Table of Proposed Changes to Indiana and Selected National and Indiana Cities
4. Proposed changes to the code in context

Introduction

I have introduced resolution 2026-07 which, if adopted by the Commission and implemented by the Common Council, would represent an ambitious leap forward in Bloomington's tree protections, making us the city with the strongest tree protections in the state and one of only a small handful to define or protect heritage trees, would bring us into line with the strongest national and international benchmarks on tree protection in development, extend protections to heritage trees on private property (for what appears to be the first time in Indiana), and strengthen the city's own urban canopy goals.

This is a detailed proposal. As such, I've provided a brief explanation of what each of the main measures would do if adopted by the Council below, as well as the rationale behind some of the choices. Additionally, I've added some maps to help you understand Bloomington's current canopy baseline, and I've attached a table that compares Bloomington's current policies on tree protection to those proposed here, as well as comparing both to a few other Indiana and selected national cities. As you will see, the proposals I'm suggesting would make us a leader in Indiana and bring us into line with the most protective national cities.

Currently, trees have only limited legal protection in Bloomington. Those limited protections are extended mostly in development contexts and only then on sites that have "closed-canopy wooded areas," a subjective term with no legal definition in the code, and as such could be subject to arbitrary distinctions between different sites, depending on who is interpreting the law. The current code states that in these cases, up to 50% of the trees on the most wooded lots may be removed with no obligation to replant or pay into a tree planting fund.

That's essentially the end of the city's statutorily required protections for trees in development. There is no protection or definition of heritage trees. There is no obligation for developers to replant.

And on private property, the limited protections essentially end: There is no significant protection for trees of any size, species, importance, or type on private property: A land owner can legally chop down a several-acre forest filled with massive trees that are hundreds of years old with no notification, no permit, no obligation to replant, no fees, and no say for the city or public. Ideally, that would be replaced with a permit requirement for significant and heritage trees on private property and strict limitation on removing heritage trees at all except in very narrow circumstances. That is what the tree protection plans require in the most ambitious cities nationally, some going so far as to require permits even for the removal of dead or dying trees on private property, and more than one requiring permits for removing trees on private property as small as 6 to 9 inches in diameter. Seattle goes the farthest—its tree protection ordinance *"generally prohibits" removing any tree* as small as 6 inches in diameter (including on private property) unless it's dead, dying, or hazardous, and then requires a permit and includes strict replanting requirements. The realities of Indiana's pre-emption binge of recent years, however, makes that perhaps an unwise strategy for Bloomington. Instead, I've attempted to craft recommendations that are less likely to be subject to state interference while still substantially accomplishing the same goals, albeit in a less ambitious fashion on private property. Protections for trees through the zoning code during development, however, appear to be on much firmer legal ground, and so I propose more ambitious protections through the UDO than for trees outside of the development process.

I want to conclude by saying that I am not opposed to new development, particularly development that brings in new housing units. Bloomington needs *a lot more* housing development, not less. That being said, new development should, to the greatest degree possible, work around the existing environment, particularly the largest heritage trees, and not bulldoze over it, as is too often the case now. This resolution, if adopted as city code, would aim to make that a reality.

Abridged summary of main changes proposed by this resolution:

1. **Greatly expands and more clearly defines cases where tree protections apply during the development process through the UDO**, to all sites undergoing development. Currently, limited tree protections only extend to sites with "closed-canopy woodlands," a subjective term with no legal definition in the code.
2. **Strengthens protections for all trees during development** through the UDO:
    a. Defines significant and heritage trees (12 inches and 24 inches DBH[1], respectively)
    b. Significantly strengthens protections for both categories, and makes ironclad protections for heritage trees during development through the UDO, with high replanting requirements for both types of trees that do get felled;
    c. Increases the canopy retention requirements by 10% across the board. Currently, for example, developers of the most heavily wooded sites are allowed to deforest up to 50% of the site. This would decrease that to 40%.
3. **Adds first-of-its-kind-in-Indiana protection for heritage trees on private property outside of development** through the BMC, structured in such a way as to limit the possibility of pre-emption. The

[1] *DBH = Diameter at breast height*

resolution requires that the private property owner notify the city of their intention to remove any heritage tree (24 inches in diameter or greater) and either replant at the ratio of 4:1 DBH[2] or pay the equivalent value into a city tree planting fund, and suggest some measures for enforcement. It is noted that a city requiring paid permits and prior approval for tree removal on private property would appear to not be explicitly barred by the state at this time, although it also appears that no jurisdiction in Indiana has yet attempted to do so

4. **Suggest strategies for significantly strengthening enforcement** while remaining in compliance with the limitations imposed by state law.
5. **Increases the city's urban canopy goal:**
    a. Requires the city to maintain baseline 2018 canopy coverage (38%);
    b. Requires the city administration to base all of its actions regarding trees with the goal of steadily increasing the canopy beyond the 2018 baseline.

[2] *This is also sometimes referred to as 4:1 caliper-inches. For example, if an owner wishes to remove a 30-inch DBH tree, a cumulative total of 120 inches of replacement trees (e.g. sixty 2-inch DBH nursery trees would satisfy the replanting requirement in this example) would need to be replanted to satisfy a 4:1 caliper-inch replanting requirement, or the equivalent value paid into the city tree planting fund, at a rate determined by the Urban Forester. A high replanting requirement recognizes the fact that smaller trees are nowhere near equivalent to the ecological value of a well-established, mature heritage tree—or at least will not be for many decades or longer. This is also intended to disincentivize unnecessary heritage tree removal by creating a financial cost to the property owner without requiring a permit or authorization from the city. Trees that are certified as dead, dying, hazardous, invasive, or highly deleterious to public infrastructure by a licensed arborist or the urban forester would be exempt from these requirements.*

Bloomington's Current Urban Canopy and Recent Trends

Important context for this entire discussion is the status of Bloomington's current urban canopy. A Sept. 2019 report commissioned by the city from Davey Resource Group (based on analysis of 2018 data from the USDA's National Agricultural Imagery Program) found that the city's urban canopy covered 38% of the area of Bloomington, with that percentage having dropped about 2% over the previous two decades. My independent geo-analysis more or less confirms the *approximate* coverage and broad trends, although I find very slightly more pessimistic figures for current coverage and a more rapid loss of canopy. Using very high resolution (1 m) data from Meta and WRI, a 2024 dataset that measures canopy height on a global scale using a combination of satellite photos and algorithmic analysis, I find that Bloomington's urban canopy covers 37% of the city's area using a threshold of 3 m canopy height, and 34% using a threshold of 5 m. In other words, according to this data, 37% of the city is covered by tree canopy at least 3 m in height, and 34% by canopy at least 5 m in height. See Map 1 on the following page which shows Bloomington's canopy coverage in detail at 1 m resolution.

As for the trend, using National Urban Tree Canopy Assessment data from the U.S. Forest Service and Arbor Day Foundation, which provides historic data on tree canopy coverage for urban areas across the United States by Census tract, I find that Bloomington tracts lost on average 7.6 acres of canopy coverage from 2016 to 2022, and that the average canopy coverage in Bloomington Census tracts dropped from 38% to 35% over the same period. See Map 2 on the following pages for more details. *It is important to note that Census tracts do not exactly match city boundaries*, so there are significant portions of that data that come from just outside of the city itself, but the data nonetheless helps tell a more complete picture of Bloomington's canopy coverage and recent trends.

Additionally, on Map 3, you can see forest loss within the city limits of Bloomington as mapped from the Hansen et al forest loss dataset, which captures forest loss on a global scale that took place between 2000 and 2025 using analysis from annual satellite photos and an algorithm. It's the gold standard for measuring forest loss on a global scale — I use it in mapping work for environmental organizations measuring deforestation around the world all the time. Using that dataset, I calculated that **Bloomington has lost 200 acres of forest from 2000 to 2025.** 2018 was the year with the largest single loss, with nearly 60 acres lost in that year alone (almost all of it due to large stands of trees being lost at the IU golf course northeast of the bypass and construction of the new hospital nearby). I've attached a few before and after satellite images showing major sources of canopy loss on the pages following the maps.

It should also be noted that it is not unusual to find slightly different figures for canopy coverage data as different datasets naturally use different sources, methods, and tools, and all of these cover slightly different time periods. The same applies to the maps: They are using different data sources including satellite photos from different years, and are measuring at different scales. But my additional analysis does confirm the broad trend: **Bloomington's urban canopy coverage percentage is somewhere in the mid-to-upper 30s, and this figure is on a *downward trajectory* compared to the relatively recent past.**

Bloomington's Tree Canopy Height

HIGH RESOLUTION 1M GLOBAL CANOPY HEIGHT DATA FROM META/WRI

0 m | 5 m | 10 m | 15 m | 20 m | 25 m | 30+ m

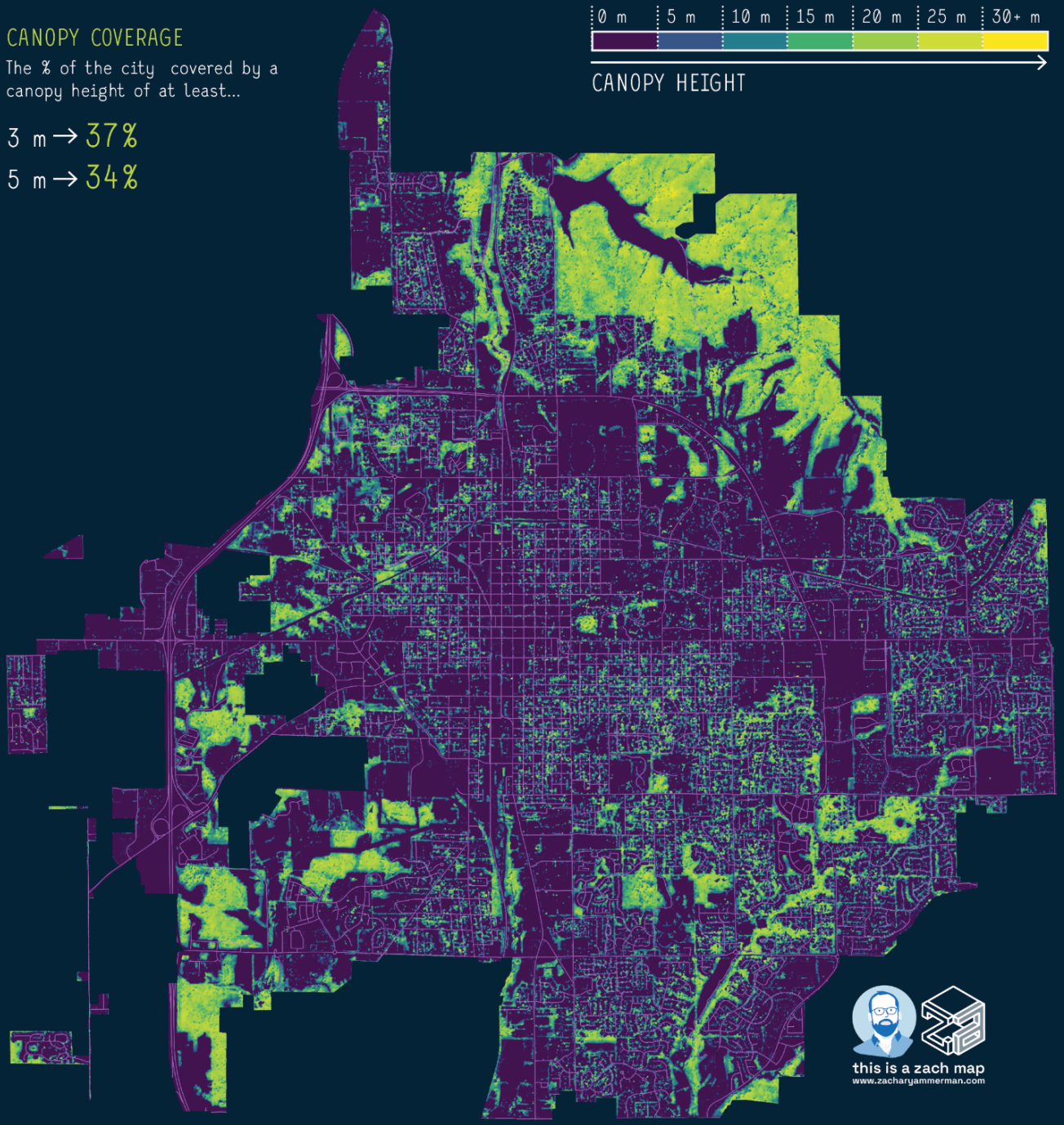
CANOPY HEIGHT

CANOPY COVERAGE

The % of the city covered by a canopy height of at least...

3 m → 37%

5 m → 34%

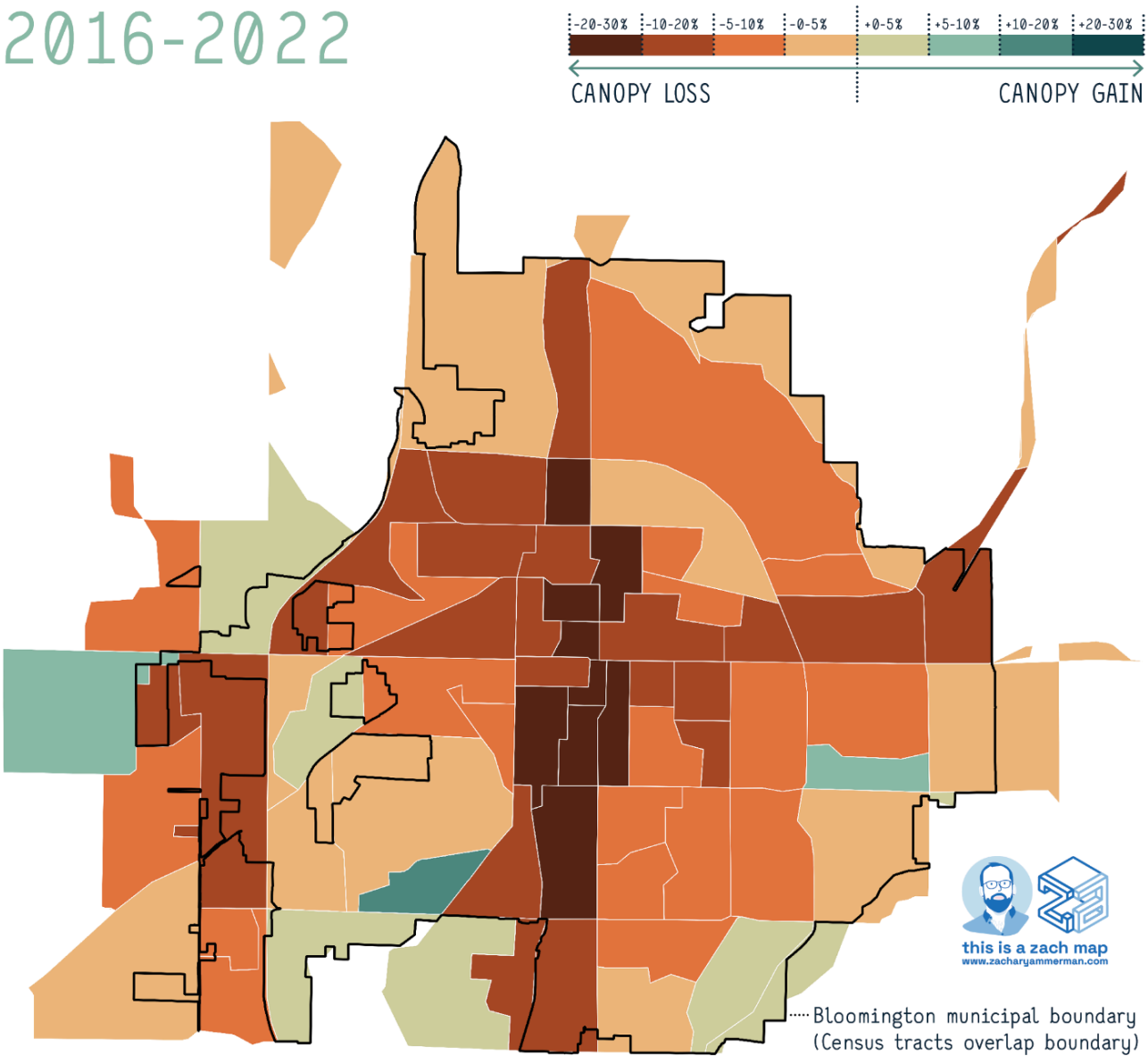


this is a zach map
www.zacharyammerman.com

Bloomington Canopy Change

BY CENSUS TRACT, ARBOR DAY FOUNDATION WITH U.S. FOREST SERVICE

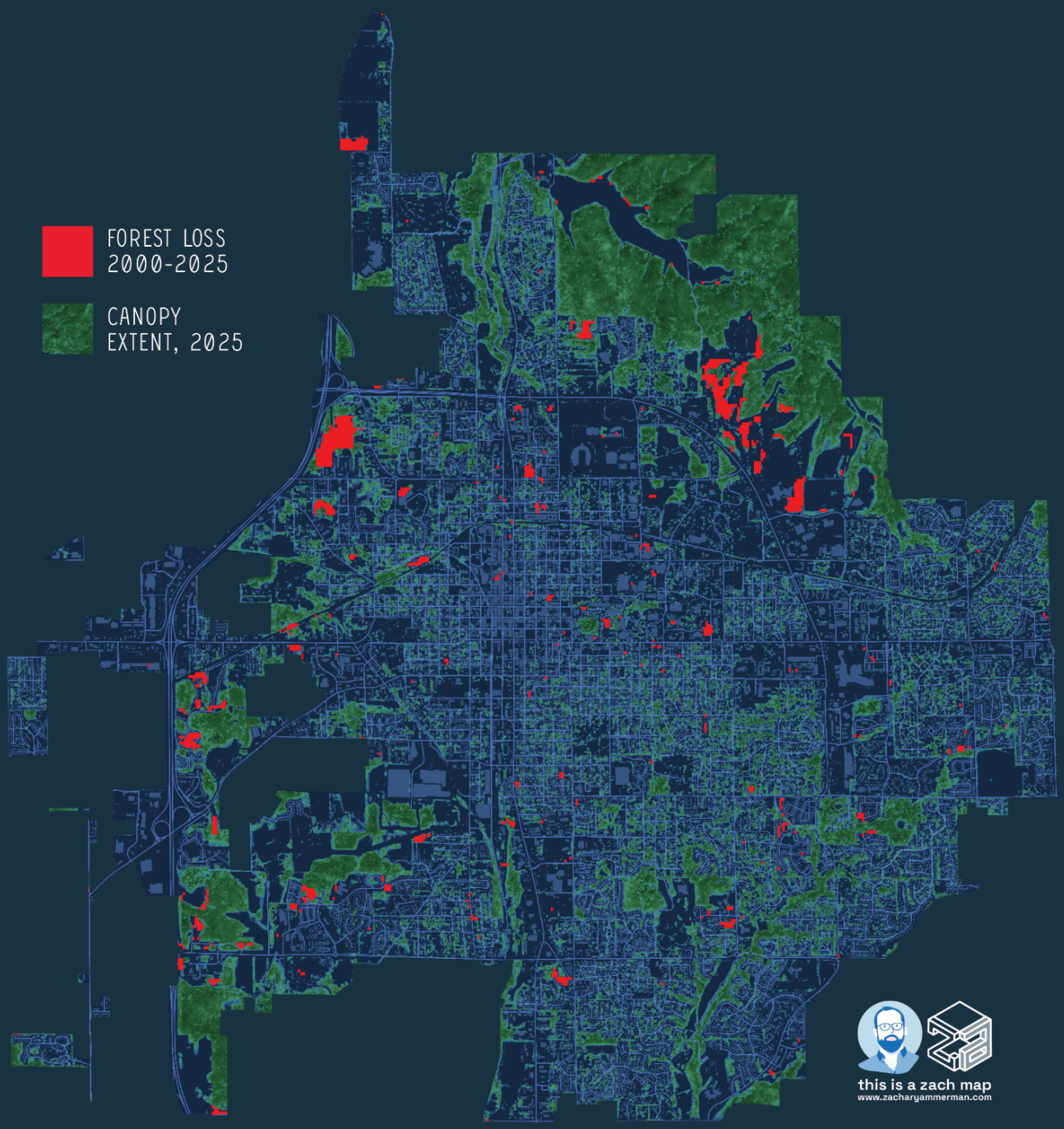
2016-2022



On average, Bloomington Census tracts lost 7.6 acres of canopy coverage between 2016 and 2022, with the average percentage covered by canopy per Census tract dropping 3 points, from 38% to 35%.

Bloomington Forest Loss 2000-2025

HANSEN GLOBAL FOREST CHANGE DATASET



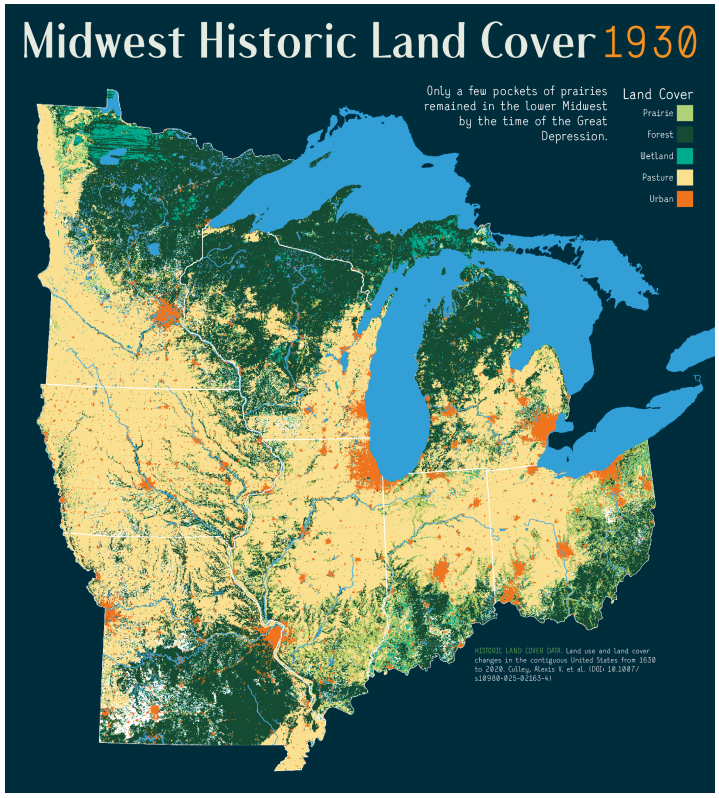
this is a zach map
www.zacharyammerman.com

Source: Hansen, M. C., P. V. Potapov, R. Moore, M. Hancher, S. A. Turubanova, A. Tyukavina, D. Thau, S. V. Stehman, S. J. Goetz, T. R. Loveland, A. Kommareddy, A. Egorov, L. Chini, C. O. Justice, and J. R. G. Townshend. 2013. "High-Resolution Global Maps of 21st-Century Forest Cover Change." Science 342 (15 November): 850-53. 10.1126/science.1244693
Data available on-line at: https://glad.earthengine.app/view/global-forest-change.


Midwest Historic Land Cover 1630
There was very little change in land cover between the 1600s and the early 1800s
Land Cover
Prairie
Forest
Wetland
Pasture
Urban
HISTORIC LAND COVER DATA: Land use and land cover changes in the contiguous United States from 1630 to 2020. Culley, Alexis V. et al. (DOI: 10.1007/s10980-025-02163-4)


Midwest Historic Land Cover 1830
Noticeable forest and prairie loss starts almost immediately after many indigenous peoples were forcibly removed from much of the region.
Land Cover
Prairie
Forest
Wetland
Pasture
Urban
HISTORIC LAND COVER DATA: Land use and land cover changes in the contiguous United States from 1630 to 2020. Culley, Alexis V. et al. (DOI: 10.1007/s10980-025-02163-4)


Midwest Historic Land Cover 1860
By around the time of the Civil War, prairie and forest loss has become widespread and increases pace rapidly.
Land Cover
Prairie
Forest
Wetland
Pasture
Urban
HISTORIC LAND COVER DATA: Land use and land cover changes in the contiguous United States from 1630 to 2020. Culley, Alexis V. et al. (DOI: 10.1007/s10980-025-02163-4)

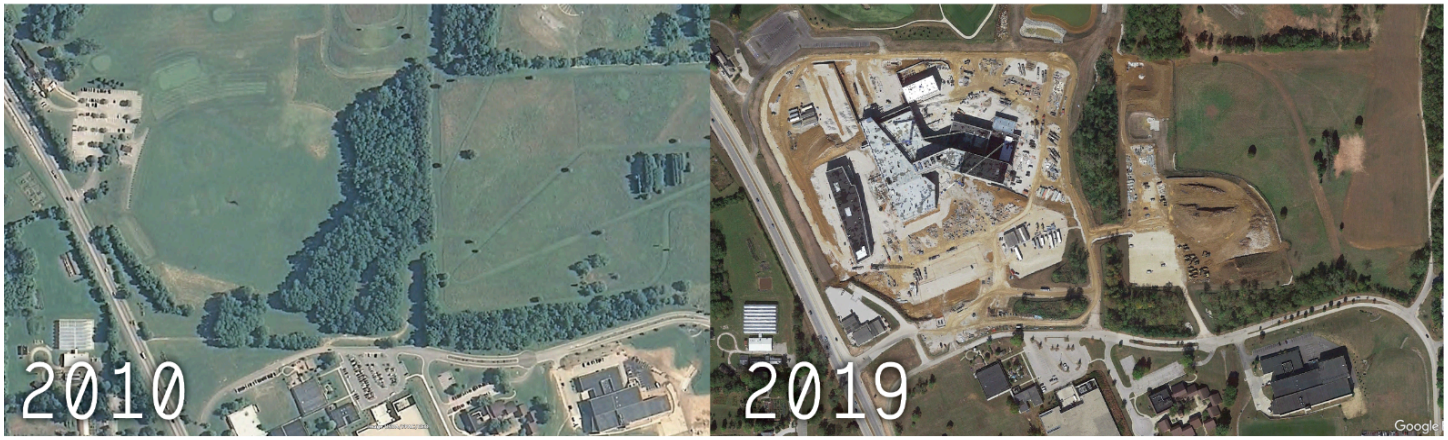

Midwest Historic Land Cover 1930
Only a few pockets of prairies remained in the Lower Midwest by the time of the Great Depression.
Land Cover
Prairie
Forest
Wetland
Pasture
Urban
HISTORIC LAND COVER DATA: Land use and land cover changes in the contiguous United States from 1630 to 2020. Culley, Alexis V. et al. (DOI: 10.1007/s10980-025-02163-4)


Midwest Historic Land Cover 2020
Essentially all prairies have been lost by the present-day, and the only areas with intact forest are in places that are difficult to farm or settle.
Land Cover
Prairie
Forest
Wetland
Pasture
Urban
HISTORIC LAND COVER DATA: Land use and land cover changes in the contiguous United States from 1630 to 2020. Colley, Alexis V. et al. (DOI: 10.1007/s10980-025-02163-4)

IU GOLF COURSE



NEW HOSPITAL



ARLINGTON COMMONS



Proposed Additions to the Bloomington Municipal Code and Unified Development Ordinance for Enhanced Tree Protection

(Reference BCOSR Resolution 2026-XX)

additions ~~deletions~~

PART 1: Bloomington Municipal Code — Chapter 12.24

This shows **excerpts** *of BMC § 12.24, only showing sections with proposed additions and deletions, which are highlighted throughout.*

§ 12.24.000 — Purpose and intent

It is the purpose of this chapter to regulate any and all work, care, enforcement, and maintenance of all flora on public property and in the public right-of-way, and to protect heritage trees throughout the city regardless of land ownership.

It is the intent of this chapter to establish the responsibilities of the city and its residents regarding all flora subject to these provisions and to assure regulations and policies maintain and increase the tree canopy within the city.

The Common Council finds that heritage trees provide measurable public environmental services including stormwater absorption, urban cooling, air quality improvement and particulate filtration, noise reduction, carbon storage, reduction of urban heat island effects linked to heat-related illness, mental health benefits associated with access to mature tree canopy, and wildlife habitat, and that their protection is therefore an exercise of the city's police power to safeguard public health and welfare.

§ 12.24.010 — Definitions

[Existing definitions remain unchanged. The following are added in alphabetical order:]

"Exempt tree" means a tree that has been declared dead, dying, invasive, hazardous, or highly deleterious to public infrastructure by a licensed arborist or the Urban Forester. Exempt trees shall not be subject to the protections, replacement requirements, or notification obligations established for significant trees and heritage trees under this chapter or under UDO § 20.04.030(h), except as otherwise provided.

"Heritage tree" means any tree with a diameter at breast height (DBH) equal to or exceeding twenty-four (24) inches.

"Significant tree" means any tree with a diameter at breast height (DBH) equal to or exceeding twelve (12) inches.

§ 12.24.025 — Replacement of the urban tree stock

It is the policy of the city to maintain and expand the tree cover of the city as a whole and of individual streets and neighborhoods in particular by planting trees in accordance with practices observed by certified urban foresters. Overall, the city's annual goal shall be to plant at least ~~twenty percent more trees than it removes, in order to maintain a planting to removal ratio of at least one point two to one.~~ twice as many trees as it removes, in order to maintain a planting-to-removal ratio of at least two-to-one (2:1). For significant trees removed from public property, the city shall replace at a ratio of

three-to-one (3:1) caliper-inches, and for heritage trees removed from public property, at a ratio of four-to-one (4:1) caliper-inches. Once a tree has been removed, it shall be replaced, wherever possible, at or near its original location as soon as the planting season permits. Further, an ongoing program of replacing previously removed trees and of planting in new areas shall be conducted. The city shall monitor and publicly report its annual planting-to-removal ratios on the city website or other appropriate platform.

§ 12.24.026 — Citywide canopy goals [NEW]

(1) It is the goal of the city that there shall be no net loss of tree canopy coverage from the 2018 baseline of thirty-eight percent (38%) citywide coverage as reported in the Bloomington Tree Canopy Summary Report (published September 2019, using 2018 NAIP data).

(2) The city administration shall base all actions taken and policy developed regarding trees with the goal of increasing the city's canopy coverage beyond the 2018 baseline established in subsection (1).

§ 12.24.055 — Heritage tree protection on private property [NEW]

(1) Notification Requirement. Any property owner intending to remove a heritage tree, as defined in § 12.24.010, outside of any development activity subject to UDO § 20.04.030(h) shall provide written notice to the Urban Forester at least thirty (30) days before removal. The notice shall identify the tree by species, location, and approximate diameter at breast height. No fee shall be charged for filing such notice.

(2) Replacement Obligation. Upon removal of a heritage tree under this section, the property owner shall complete replacement planting at a ratio of four-to-one (4:1) caliper-inches using native species from the approved species list established under UDO § 20.04.080(d)(1). Where the property owner demonstrates that sufficient planting space does not exist on the site, the property owner shall pay the equivalent cost of the required plantings, as determined by the Urban Forester, into the city tree planting fund.

(3) Contractor Requirements. Property owners shall provide a copy of the written notice acknowledged by the Urban Forester to any contractor performing the removal of a heritage tree under this section. Contractors shall retain a copy of such notice on file for a period of not less than three (3) years. A contractor found to have removed a heritage tree without a copy of the acknowledged notice on file shall be subject to a fine as provided in § 12.24.120 and may be subject to suspension of tree work permit eligibility.

(4) Emergency Exception. A heritage tree that presents a documented, verifiable, and imminent hazard to persons or property may be removed without prior thirty-day notice to the Urban Forester. The property owner shall notify the Urban Forester within five (5) business days following emergency removal, and shall provide documentation of the imminent hazard, which may include photographs, a written statement from a licensed arborist, or other evidence. If the Urban Forester determines upon review that the tree did not meet the standard for imminent hazard, the replacement obligation under subsection (2) shall apply.

(5) Exempt Trees. Trees meeting the definition of 'exempt tree' under § 12.24.010 shall not be subject to the notification or replacement requirements of this section.

§ 12.24.120 — Violation and penalties

(1) Any person violating any of the provisions of this chapter may be issued an official warning.

(2) Any person violating any of the provisions of this chapter shall, upon a written notice of violation (NOV), be subject to a penalty up to the statutory limit as described in Indiana Code Section 36-1-3-8, as amended.

(3) Each individual tree removed in violation of this chapter shall constitute a separate offense subject to a separate penalty under subsection (2).

(4) Failure to complete required replacement planting under § 12.24.055(2) or under UDO § 20.04.030(h)(9) within the time period specified by the Urban Forester shall constitute a continuing violation, with each calendar day of noncompliance constituting a separate offense subject to a separate penalty under subsection (2).

(5) No certificate of occupancy, certificate of zoning compliance, or new development permit shall be issued to any person who has outstanding, unresolved replacement planting obligations under UDO § 20.04.030(h)(9) until such obligations are fulfilled or bonded.

(6) In addition to the penalties provided in this section, the city may seek court orders through civil proceedings to recover costs associated with the remedy of violations under IC 36-1-6-2 and IC 36-1-6-4.

(7) Before any permitted removal of a heritage tree during a development project subject to UDO § 20.04.030(h), the applicant shall post a performance bond in an amount determined by the Urban Forester sufficient to cover the full cost of required replacement plantings.

PART 2: Unified Development Ordinance — § 20.04.030(h)

This shows UDO § 20.04.030(h) Tree and Forest Preservation **in its entirety**, *with proposed additions and deletions highlighted throughout.*

(h) Tree and Forest Preservation

(1) Applicability

This section shall apply to all ~~land-disturbing activities on properties containing closed-canopy wooded areas.~~projects requiring a permit from the Planning and Transportation Department that involve construction, land disturbance, or demolition.

(2) Retention of Existing Canopy

The following table shall be used to determine the minimum amount of existing vegetation canopy that must be retained during land-disturbance activity.

Table 04-8: Minimum Required Vegetation Canopy

Baseline Canopy Cover	Retained Canopy Cover
80—100%	~~0.50~~ **0.60** × Baseline canopy cover
60—79%	~~0.60~~ **0.70** × Baseline canopy cover
40—59%	~~0.70~~ **0.80** × Baseline canopy cover
20—39%	~~0.80~~ **0.90** × Baseline canopy cover

0—19%	~~0.90~~ **1.00** × Baseline canopy cover

Example: For a property of 20 acres with 50 percent canopy cover (i.e., 10 acres), a development would be required to maintain at least ~~seven acres (10 acres × 0.70)~~ eight acres (10 acres × 0.80) of canopy cover.

Compliance with the canopy retention requirements of this subsection shall not relieve an applicant of the obligations established under subsections (8), (9), and (10) for the protection and replacement of individual significant and heritage trees.

(3) Preference to Stands of Vegetation

The retention standards outlined above shall be applied to retain high-quality stands of native trees, undisturbed woodlands, and corridors of contiguous vegetation in priority over individual specimen trees, or younger stands of vegetation. No more than 10 percent of the canopy retention standard shall be met by preserving individual trees not included within preferred wooded areas as defined in this subsection (h). Where individual specimen trees are to be preserved, preference shall be given to protecting heritage trees that are of particular value due to their type, size or age.

(4) Smaller Parcels

For parcels of land less than two acres, the preservation standards in Table 04-8: Minimum Required Vegetation Canopy, may be altered by the City Planning and Transportation Director to allow preservation of individual specimen trees or tree lines along property borders in lieu of the minimum required vegetation canopy. This subsection shall not apply to any site containing one or more heritage trees as defined in Chapter 20.07.

(5) Overlapping Preservation Areas

Where acreage set aside to fulfill the conservation or buffer requirements found in 20.04.030(c), 20.04.030(d), 20.04.030(f), and 20.04.030(g) also meets the requirements for tree and forest preservation under 20.04.030(h)(2), such acreage shall be counted toward fulfillment of all applicable requirements.

(6) Conservancy or Tree Preservation Easement

Where contiguous areas of at least 8,712 square feet (0.20 acres) of tree cover are required to be preserved, a conservancy and/or tree preservation easement shall be required per Section 20.05.040 (Easements). The edges of such easements shall be delineated 10 feet beyond the driplines of the trees to be preserved.

(7) Tree Protection During Construction

A tree protection zone shall be installed per Section 20.04.080(c)(3) and inspected by the Planning and Transportation Department prior to any land-disturbing activities. The tree protection zone and the tree protection barrier shall remain undamaged and unmoved during the entire duration of construction. If a petitioner believes the conditions of a tree protection zone cannot be established, they shall contact the Planning and Transportation Department and the Urban Forester in order to develop an individual plan for tree protection.

(8) Protection of Heritage Trees During Development [NEW]

(A) No heritage tree shall be removed as part of any development project subject to this section unless the applicant demonstrates to the satisfaction of the Planning and Transportation Department that it is physically impossible to complete the project without removing the tree, and that no reasonable redesign of the project can avoid the removal.

(B) Any application to remove a heritage tree under subsection (A) shall include a written statement from a licensed arborist or the Urban Forester documenting the infeasibility of avoidance, and shall be subject to review and approval by the Planning and Transportation Department in consultation with the Urban Forester.

(9) Replacement Requirements for Significant and Heritage Trees [NEW]

(A) Any significant tree removed as part of a development project subject to this section shall be replaced at a ratio of three-to-one (3:1) caliper-inches. For example, removal of a significant tree measuring twelve (12) inches DBH shall require replacement planting cumulatively totaling thirty-six (36) caliper-inches.

(B) Any heritage tree removed as part of a development project subject to this section shall be replaced at a ratio of four-to-one (4:1) caliper-inches.

(C) Replacement trees shall be native species selected from the approved species list established under UDO § 20.04.080(d)(1).

(D) Replacement trees shall be planted on the development site. Where the applicant demonstrates that sufficient planting space does not exist on the site, the applicant shall pay the equivalent cost of the required plantings, as determined by the Urban Forester, into the city tree planting fund.

(10) Enforcement of Replacement Obligations [NEW]

No certificate of occupancy, certificate of zoning compliance, or new development permit shall be issued for any project subject to subsection (9) until the applicant has fulfilled all replacement planting obligations or posted a performance bond in the amount of the estimated cost of the required plantings, as determined by the Urban Forester.

PART 3: Unified Development Ordinance — § 20.04.110(c)

Related Amendment to Section 20.04.110(c) (Incentives, Sustainable Development)

Canopy Retention Incentive. Developments that meet or exceed the canopy retention requirements of § 20.04.030(h)(2) by a margin of ten percent (10%) or more shall be eligible for increased density incentives as provided in this subsection.

PART 4: Unified Development Ordinance — § 20.07 (Definitions)

Related Definitions to Be Added to § 20.07

"Heritage tree" means any tree with a diameter at breast height (DBH) equal to or exceeding twenty-four (24) inches.

"Significant tree" means any tree with a diameter at breast height (DBH) equal to or exceeding twelve (12) inches.

General Exemption

Trees felled as part of legitimate agricultural or continuously operating forestry operations are exempted from these provisions, as required by Indiana law.

City	Defines Heritage/Significant Trees	Heritage DBH Threshold	Other Tree Threshold(s)	Heritage Tree Removal Prohibition	Development Replacement Requirement	Heritage Trees Protected Outside Development	City's Municipal Replacement Ratio	Canopy Retention Rules	Fee-in-Lieu Tree Fund	Per-Tree Violation
Bloomington CURRENT	No, term used but undefined	None	"Specimen Trees," subjective definition provided: essentially trees on public land deemed specimen trees by Urban Forester, recommends protecting them	None	No	No	1.2:1 codified as "goal shall be" which is less strong the ideal	Yes, tiered requirements but only for sites with Closed-Canopy Wooded Areas	No	No, capped at $2,500 (state cap)
Bloomington PROPOSED	Yes	24" DBH	Significant 12"	Yes, during all development, requires replacement; notification + replacement outside of development	Yes, 3:1 caliper-inches significant, 4:1 caliper-inches heritage (approx. 5x the requirement of Indianapolis)	Heritage Trees Notification + 4:1 caliper-inch Replacement	2:1 statutory for public trees, 3:1 and 4:1 caliper-inches for significant and heritage trees	Yes, extended to all developments, increased retention rules +10% per tier	Yes	Yes, per day and per tree, city may pursue damages in civil court, certificates of occupancy not issued until trees replanted
Indianapolis	Yes	18" limited to 15 listed species only	None	Yes, but only on lots over 20,000 sq feet, excludes single and two-family residences	Yes, uses a per-tree rather than caliper-inch system, so varies but roughly 0.8-1:1 caliper-inches for heritage trees, less for other trees, with exceptions	No	None	None	No	No, capped at $500 per violation
Carmel	No	None	None	None	No	Trees are only protected if part of a Tree Preservation Easement	1:1 plan in city documents, not codified, aspirational	None	No	Yes
Ann Arbor, MI	Yes (Landmark Trees)	24" for any tree, smaller (down to 8") depending species for natives in Table 5.23-1	Woodland trees, any tree 8" DBH or greater in a qualifying woodland	Not prohibited, but code structured to strongly discourage removing landmark trees, monitored and protected up to three years after development as well	Yes, at least 50% of the DBH or the landmark tree being replaced, increases to 200% of the DBH in the event the tree was removed without apprval	No	None	No explicit ratio, canopy loss fee of $250/inch for city trees removed by development	Yes, up to 50% can be satisfied through payment, and trees may be planted elsewhere on public land instead of onsite if not feasible	Yes
Atlanta, GA	Yes	Designated by Commission based on characteristics, no threshold, case-by-case	Any non-pine 6" DBH or greater, pines 12" or greater -- all species ALL PROPERTY	Yes, requires explicit approval from the Tree Conservation Commission	Cumulative DBH must meet or exceed DBH of removed trees	Yes, ANY tree 6" DBH or greater, even dead trees, require a permit that can be denied and replacement on private property.	1:1 cumulative DBH	Minimum tree density requirements codified by zoning district, no net loss policy citywide	Yes, Tree Trust Fund, formula based on DBH	Yes, up to $200,000 per acre where count unattainable

Athens, GA	Yes	Landmark trees by size and age, but designation is voluntary and owner must apply	Any healthy tree 2"+ DBH is "conservable" during development; all public trees protected regardless of size	Only for voluntarily designated landmark trees and only on non-residential lots	1:1 inch-for-inch replacement but only in designated Tree Preservation Areas	No	45% coverage goal codified in city code	Minimum canopy by zoning district during development; must be maintained in perpetuity for commercial/multifamily	Yes	Yes, per day and per tree, certificates of occupancy not issued until trees replanted
Somerville, MA	Yes	NA	All native trees 8" DBH or greater are "significant" trees	NA	1:1 caliper-inch or $600/inch payment into tree fund	Yes, ANY tree 8" DBH or greater requires permit and replacement on private property	Unclear	Unclear	Yes, $600 per caliper-inch of removed tree (owner-occupants pay 10%, $60/in)	Yes, per day and per tree
Austin, TX	Yes	Certain species 24" DBH or greater	Protected Trees, Any tree 19" DBH or greater, Trees 8" DBH or greater are encouraged to be protected during development by code	Yes, nearly impossible for heritage trees	300% of DBH for heritage trees, 100% for protected trees, 50% for other trees	Yes, any tree greater than 19" DBH requires a permit which may be denied	Unclear	Unclear	Yes	Yes
Seattle, WA	Yes	Four-tier system, Tier 1 designated by city; Tier 2 24+ DBH	Tier 3 12-24 DBH, Tier 4, 6-12 DBH	Tier 1 (heritage) and Tier 2: cannot be removed unless hazardous or emergency, even during development; Tier 3 and 4 removal in Neighborhood Residential only if maximum lot coverage cannot otherwise be achieved	Yes, 1:1 or greater; monitored for 5 years	Yes — removal of all Tier 1-4 trees prohibited outside of development; exceptions for hazardous, dead, or diseased trees, those severely interfering with infrastructure. Removal of all healthy trees 6"+ DBH "generally prohibited"	Unclear	Unclear	Yes	Yes, up to 3x the tree's appraised value per tree
Charlotte, NC	Yes	30" DBH for NC native species	Specimen tree: 20-29" DBH	Permit required on all property types, both in and outside of development	Yes, 1:1 or greater with financial rewards for higher ratios (there is a $500 for removal, reduces down to zero as more trees are planted in replacement)	Yes, permit required for all heritage trees in all contexts	Unclear	Unclear	Yes	Yes, $200 per inch DBH plus replanting costs
		KEY								
			No protection							
			Limited Protection							
			Significant							

			Protection							
			Standout protection							

Tree Commission Approval of Bloomington Commission on Sustainability and Resilience Resolution.

July 20, 2026

To Whom it may concern

We wish to formally acknowledge and express our approval of the Bloomington Commission on Sustainability and Resilience's resolution to enhance the City of Bloomington's protection of significant trees and heritage trees. Strengthening these protections is an important step toward safeguarding the ecological, cultural, and community value that mature trees provide.

Significant and heritage trees contribute meaningfully to Bloomington's environmental resilience, neighborhood character, and long-term sustainability. By advancing clearer standards, stronger preservation measures, and more intentional stewardship, this resolution supports a healthier urban forest and reinforces the City's commitment to responsible land-use practices.

We appreciate the Commission's thoughtful work on this issue and affirm our support for the resolution and its goals. We encourage continued collaboration among City departments, community partners, and residents to ensure that Bloomington's tree canopy remains protected for future generations.

Sincerely, The Tree Commission
George Hegeman
Mia Williams
Julie Roberts
Stephanie Freeman-Day
Karl Gaisser
Travis Harding

Jolie Perry <jolie.perry@bloomington.in.gov>

protection for heritage trees

Molly ODonnell <mollysod@gmail.com> Tue, Oct 6, 2026 at 12:55 PM
To: sustain@bloomington.in.gov

Hi,

I am a resident of Bloomington and support clearer protection of heritage trees in the city as proposed by the Bloomington Commission on Sustainability and Resilience and backed by the Tree Commission.

Sincerely,

~Molly

Molly O'Donnell
she/her/hers
mobile: 812-345-7399
602 S. Rose Ave.
Bloomington, IN 47401

BLOOMINGTON

Jolie Perry <jolie.perry@bloomington.in.gov>

Protect Heritage Trees

'Glee Noble' via Sustainability Inbox <sustain@bloomington.in.gov> Tue, Oct 6, 2026 at 8:25 PM
Reply-To: Glee Noble <gleenoble@yahoo.com>
To: "sustain@bloomington.in.gov" <sustain@bloomington.in.gov>
Cc: "mayor@bloomington.in.gov" <mayor@bloomington.in.gov>

Dear PHT group,

I heartily approve of Resolution 2026-07!
I live at 605 West Wylie St., across from a row of mature mixed-species trees which I hope continue to flourish.
They are home for many birds and squirrels and give us oxygen--for free!

Remember the Lorax!
Glee Noble

Jolie Perry <jolie.perry@bloomington.in.gov>

I support resolution 2026-07

Barbara Backler <bbackler@gmail.com> Tue, Oct 6, 2026 at 9:16 PM
To: sustain@bloomington.in.gov

In our Sycamore Land Trust book club we have read several books about trees and their value. I loved when we read that in Ecuador's constitution it states that trees (and rivers and all of nature actually) have rights and need to be treated with respect and dignity and deserve our respect and support. I find that so inspiring. Trees are amazing. We can learn from them. They enhance the beauty of our city immensely. I live in the city and I love our trees. It makes me so sad to see great trees cut down. Let's assure that we are protecting our trees, especially heritage trees.

Barbara Backler
609 N. Plymouth Rd
Bloomington, IN 47408

Jolie Perry <jolie.perry@bloomington.in.gov>

Resolution 2026-07

'Stella Hooker-Haase' via Sustainability Inbox <sustain@bloomington.in.gov> Tue, Oct 6, 2026 at 9:49 PM
Reply-To: Stella Hooker-Haase <altfluit@yahoo.com>
To: sustain@bloomington.in.gov

We want to express our support for resolution 2026-7.
We live within the city limits and think Heritage trees should receive all the protection they can get.

Stella Hooker-Haase
Mark Hooker
704 S Eastside Drive

812-333-7006
Sent from my iPhone

Jolie Perry <jolie.perry@bloomington.in.gov>

Support for Resolution 2026-07…

Matthew O'Donnell <matthewdeanodonnell@gmail.com> Wed, Oct 7, 2026 at 3:42 PM
To: "sustain@bloomington.in.gov" <sustain@bloomington.in.gov>

Greetings,

My name is Matthew O'Donnell, and I am writing in support of Resolution 2026-07.

I have been a Bloomington resident since 2009, a homeowner since 2014, and am raising my family here in Bloomington.

We welcome the opportunity for heritage trees to be protected in our community so that my children can grow up in the shade of those trees and learn all about their helpful impact on our ecosystem.

Please add my name to the list of supporters of this excellent resolution to protect our heritage!

Thank you,

Matt O'Donnell

Jolie Perry <jolie.perry@bloomington.in.gov>

Support for Protecting Significant & Heritage Trees in Bloomington

Madeline Hirschland <mhirschland@gmail.com> Fri, Oct 9, 2026 at 6:42 PM
To: sustain@bloomington.in.gov

Friends,

I am a resident of Bloomington (1228 E. Maxwell Lane) writing in support of Resolution 2067-07 to protect significant and heritage trees in Bloomington. These mature trees provide ecological, cultural and community value. The contribute to local resilience - and make our city beautiful. Intentionally preserving our trees is the responsible thing to do.

Thank you,

Madi (Madeline) Hirschland

Gmail Justin Vasel <justin.vasel@gmail.com>

BCOSR Letter re: Ordinance 2026-20 — UDO § 20.04.030(h), Tree and Forest Preservation

Justin Vasel <justin.vasel@gmail.com> Wed, Sep 9, 2026 at 8:39 AM
To: council@bloomington.in.gov
Cc: City Clerk <clerk@bloomington.in.gov>, sustain@bloomington.in.gov

Dear Councilmembers,

At its regular meeting on September 8, 2026, the Bloomington Commission on Sustainability and Resilience adopted the attached letter by a vote of 9-0. It addresses one provision of Ordinance 2026-20, "Amending Title 20 of the Bloomington Municipal Code to Improve Sustainability and Housing Affordability pursuant to Council Resolution 2026-05," which received first reading on September 2 and has been advanced to second reading.

We are transmitting it now so that it is before you ahead of second reading and possible adoption, which we understand may come as soon as your September 16 regular session.

Clerk Bolden—copying you for the record on Ordinance 2026-20. Please let me know if you need anything else from us for the second reading packet.

I'm happy to answer any questions.

Respectfully,

Justin Vasel, Ph.D. (he/him)
Chair, Bloomington Commission on Sustainability and Resilience
justin.vasel@gmail.com

The views expressed here are solely those of the Bloomington Commission on Sustainability and Resilience, as approved in their public meetings, and do not necessarily reflect the views, policies, or positions of the City of Bloomington. Only the Office of the Mayor has the authority to issue policy statements on behalf of the Executive Branch of the City of Bloomington.

2026-09-08_BCOSR-Letter-to-Council-re-UDO-Trees.pdf
111K

BLOOMINGTON COMMISSION ON
SUSTAINABILITY AND RESILIENCE

To: All members of the Bloomington Common Council
Subject: Proposed Changes to Unified Development Ordinance § 20.04.030(h) - Tree and Forest Preservation
From: The Bloomington Commission on Sustainability and Resilience
Date: Sept. 8, 2026

Dear Councilmembers,

The Commission writes to oppose one provision within the UDO amendment package now before you: the addition to §20.04.030(h)(1) (Applicability), proposed by the Planning and Transportation Department, exempting "existing lots of record within the R3 and R4 zoning districts that are less than 5,000 square feet."

We understand the problem the exemption is meant to solve. Small infill lots can be difficult to develop under standard canopy requirements. But the exemption as drafted is far broader than that problem requires, and the code already provides the flexibility it seeks.

1. The exemption is placed in the wrong part of the code, so it reaches much further than canopy retention.
Because the language sits in the Applicability clause, it removes these lots from all of subsection (h)—not just the canopy retention table that has been the focus of Council's discussion. Exempt lots would also fall outside:

- (h)(3), which directs that preference be given to stands of native trees and to heritage trees
- (h)(6), which requires conservancy and tree preservation easements in certain circumstances
- (h)(7), which requires tree protection zones during construction

The practical result is that a builder on one of these lots would have no obligation to fence or otherwise protect a mature tree during construction. A tree the project never intended to remove could be killed by root damage or equipment strikes without any violation of code. The exemption would also apply automatically to any tree protection Council adds to subsection (h) in the future.

2. The code already provides this flexibility.
Section 20.04.030(h)(4) (Smaller Parcels) already allows the Planning and Transportation Department to modify the Table 04-8 canopy standards for any parcel under two acres (a threshold roughly seventeen times larger than 5,000 square feet) to permit preservation of individual trees, specimen trees, or tree lines in lieu of the minimum required canopy. Constrained infill lots can be, and already are, accommodated under this provision on a case-by-case basis with staff judgment.

If Council wishes to retain the provision:
We recommend moving it out of the Applicability clause and into §20.04.030(h)(4) (Smaller Parcels), scoped to the canopy retention requirements alone and applied case by case. We suggest the following language:

> **§ 20.04.030(h)(4) — Smaller Parcels.**
> For existing lots of record within the R3 and R4 zoning districts of less than five thousand (5,000) square feet, the Planning and Transportation Director, in consultation with the Urban Forester, may reduce or waive the requirements of Table 04-8 where those standards would preclude the reasonable development of the lots. All other requirements of this subsection (h) shall continue to apply.

This preserves the flexibility the amendment appears intended to create for small lots while leaving the remaining tree protections in force.

Thank you for your consideration.

Sincerely,
Bloomington Commission on Sustainability and Resilience

The views expressed here are solely those of the Bloomington Commission on Sustainability and Resilience, as approved in their public meetings, and do not necessarily reflect the views, policies, or positions of the City of Bloomington. Only the Office of the Mayor has the authority to issue policy statements on behalf of the Executive Branch of the City of Bloomington.

Gmail Justin Vasel <justin.vasel@gmail.com>

Transmittal of BCOSR/EC Resolution Concerning Light Pollution Mitigation

Gretchen Knapp <gretchen.knapp@bloomington.in.gov> Mon, Sep 28, 2026 at 10:37 AM
To: Justin Vasel <justin.vasel@gmail.com>
Cc: City of Bloomington Office of the Mayor <mayor@bloomington.in.gov>, Sustainability Inbox <sustain@bloomington.in.gov>, City Council <council@bloomington.in.gov>

Dear Mr. Vasel,

Thank you for sharing this resolution and for your service to the City and our community.

We had indeed already reviewed an earlier draft from your packet back in July and requested that the City's Duke Energy rep gather feedback from their lighting director. I passed these notes along back in July to your staff liaison and hope it made its way to you. In case it didn't, as I see the issues they pointed out remain in the resolution, I'll repeat the notes here. TL/DR: Most of what's in the resolution is already being done and not a problem, but a few things have the potential to trigger litigation or the IURC.

- 3000 Kelvin lights have been the standard since February 2021
- City projects prior to 2021 are likely to be 4000 Kelvin; the manufacturer did not produce 3000 then.
- Neighborhood and decorative lights were switched to 3000 in 2019 and that is now the default.
- As lighting comes up for replacement, it will be replaced with 3000--but it's not possible to direct an earlier timing for replacement, as that would impact costs covered by ratepayers and trigger IURC involvement.
- Roadway lighting is specified by the DOT standards for safety.
- In Section 1, recommendation b, a map is needed to show the impacted areas. It may be possible technically to install 1500 Kelvin but it would require a tariff change with the IURC.
- Recommendation h asks for adaptive controls, but this is not currently possible with Duke's technology. It also has tariff implications subject to IURC.
- Finally, Duke suggests, rather than issuing a blanket change order, to request data showing current placement, so that areas of greatest need could be identified. Their data is slow to come by but they're willing to share and discuss.
- Duke offered to arrange a conversation with their lighting director, if that's of interest to the committees.

I shared these thoughts to ensure that all are aware of which pieces of the puzzle can be regulated by City code and which are regulated by the IURC or DOT. When the City passes legislation that cannot be enforced, that creates resident expectations we can't fulfill. I understand you'll be sending this along to Council, so I've copied them for awareness as well.

If the commission would like to have a conversation with Duke's lighting director, please let me know, and I'll be happy to make connections.

All best,
Gretchen

Gretchen Knapp
Deputy Mayor, Office of the Mayor
City of Bloomington I 401 North Morton Street
812-349-3406 I bloomington.in.gov

CITY OF BLOOMINGTON

---------- Forwarded message ---------
From: **City of Bloomington Office of the Mayor** <mayor@bloomington.in.gov>
Date: Fri, Sep 25, 2026 at 11:59AM
Subject: Fwd: Transmittal of BCOSR/EC Resolution Concerning Light Pollution Mitigation

To: Kerry Thomson <kerry.thomson@bloomington.in.gov>, Gretchen Knapp <gretchen.knapp@bloomington.in.gov>, Jennifer Miers <jennifer.miers@bloomington.in.gov>, Julius Mitchell <julius.mitchell@bloomington.in.gov>

Trying this again, my apologies. For awareness.
Thank you,
April

Kerry Thomson
Mayor of Bloomington
City of Bloomington | 401 North Morton Street
812-349-3406 | bloomington.in.gov

CITY OF BLOOMINGTON

[Quoted text hidden]

BCOSR Resolution 2026-06 Dark Sky.pdf
244K

retrocycle

The Indiana Cup Project Plan

Dear Bloomington Sustainability Committee Members,

Thank you for inviting me to join your meeting. Because our time together is short, I ask that this follow-up be shared with the Sustainability Committee.

We recognize that supporting a new program with public dollars deserves careful consideration. We appreciate and expect thoughtful questions and skepticism around how your funds are used. With that in mind, we want to provide a clear picture of what we are proposing for an Indiana Cup pilot, what the investment would support, and what we are learning from the communities already participating.

Proposed Ten-Café Bloomington Pilot (Total Cafés: 13)
We believe ten participating cafés would create a strong initial network in Bloomington - enough locations to make borrowing and returning convenient.

- Gables and Bagels
- Bloomington Bagel Co.
- Hopscotch x 2
- Two Sticks Bakery
- Crumble Coffee
- Soma Coffee x 4
- Inkwell x 2
- Poindexter

*This does not include on-campus cafes.

For a ten-café pilot, we are requesting a total investment of approximately:

$14,650 TOTAL | $1,465 PER CAFÉ

This would provide each café with its initial inventory, six months of subscription coverage, and additional hot-cup inventory to give the businesses sufficient runway as the network becomes established.

Product Guide is at the bottom of the document. Cups are $2.00 & lids are $0.50.

Item	Cost Per Café
Café Starter Kit - 1 Case: 78 x **12 oz hot cups ($156)** 1 Case 66 x **16 oz hot cups ($132)** 1 Case 180 x **16 oz cold cups ($360)** 1 Case 180 x **cold lids ($90)** 1 Case 144 x **hot lids ($72)**	$835 one-time

1 Case x **caddy** (holds the cups) (**$25)**	
6-Month Service Subscription - signage, reporting, marketing support and free shipping (**$45/month**)	$270 prepaid
Additional Hot-Cup Inventory - 1 Case 78 x **12 oz hot cups ($156)** 1 Case 66 x **16 oz hot cups ($132)** 1 Case 144 x **hot lids ($72)**	$360
Total First-Year Investment Per Café	**$1,465**
Total Ten-Café Pilot	**$14,600**

Why We Recommend Additional Hot-Cup Inventory
Our hot cup cases contain roughly one-third as many cups as our cold cup cases, which means cafés move through that inventory considerably faster (a cafe in Frisco ran out of 16 oz Hot Cups in Week 2).

Based on what we are learning in Summit County, CO, we recommend providing each café with support for additional hot cup cases.

Altogether, the proposed package provides each café with approximately **468 cups and 468 lids.** Spread across six months, that represents **roughly three new cups entering circulation per day per café** - while returned cups are simultaneously coming back into the system to be washed and reused.

Why Government Support Matters
We have seen firsthand that removing the initial financial risk for cafés allows businesses to focus their limited bandwidth on what matters most during launch: learning the operations, educating staff and customers, and providing the data we need to understand how the system is performing.

That is how we launched in Colorado, and municipal participation has been an important part of getting independent businesses comfortable trying something fundamentally different from the single-use system they have operated within for decades.

We're building one of the first statewide, open-loop reusable cup networks of its kind in the United States. There are encouraging early signals, alongside areas where we continue to learn, adjust and improve as more cups move through the system.

We don't take lightly asking a municipality to invest public funds in something new.

The BARN (Borrow-and-Return Network) concept itself is not novel. Shared deposit-and-return systems have already been demonstrated at significant scale internationally. Germany's RECUP

network, for example, has shown that a common reusable system can operate across thousands of participating businesses.

Our work is to understand what a BARN for reusable drinkware and foodware can look like here - built hand-in-hand with the Bloomington community and supported by the local businesses, government, local educational institutions, and of course, citizens.

That's ultimately what we're working to build: not simply more reusable cups, but a system that makes borrowing and returning an easy, everyday behavior, eliminating millions of pounds of waste that never needed to be created in the first place.

I was born and raised in Indianapolis and am a proud 2014 graduate of IU's Kelley School of Business. It would mean so much to bring this work home and help build a more reusable Indiana - with Bloomington serving as the catalyst for change across the state.

Warmly,

Meredith Katz
Co-Founder & CEO, Retrocycle

retrocycle

Appendix

Early Data: How Is the Program Performing?

We are still early in the program and believe it is important to share these numbers in that context. Our goal is to measure not simply initial novelty, but whether reuse becomes a repeated behavior over time.

Breckenridge - First 30 Days

- Return rate: 33%
- Participation rate: 2% of to-go drinks served in reusables (over 500 borrows at this point!)
- Participation calculation: Reusable to-go drinks / total to-go drink orders at participating cafes

Breckenridge - Partial Data - 2nd 30 Days (as of 8/17/2026)

- Return rate: 40% / 202 Borrows on Main St.

Roadmap: Where Are We Working to Expand?

Q4 2026: CO: Vail; Steamboat Springs; Silverthorne; Keystone; Dillon; Downtown Boulder; select Winter Park locations

Q2 2027: CO: Telluride; Mountain Village; Nederland; Boulder; Denver

Future / Additional Communities in Discussion: IN: Bloomington, Indianapolis CO: Denver International Airport; Arvada

Public Education & Marketing

Public education is an essential part of introducing a new reuse system. Retrocycle develops materials for participating cafés and works alongside municipal partners on community education so customers understand how and why to participate.

- Launch Scrapbook + Café Testimonials
- Retrocycle LinkedIn
- Frisco Education Campaign - July 28
- Retrocycle Instagram
- Retrocycle Facebook

The Colorado Cup is a shared **Borrow-and-Return Network (BARN)** that allows customers to borrow a reusable cup at one participating café and return it to any participating location in the network.

retrocycle

1. **Borrow:** A customer orders their drink in a Colorado Cup and leaves a **$2.50 deposit**.
2. **Enjoy:** They take their drink to-go just as they would in a single-use cup - no app, account or sign-up required.
3. **Return:** The cup can be returned to any participating café, not just the location where it was borrowed. Maps are included on every cup in a QR code.
4. **Get $2.50 back:** When returning the cup with a purchase, the customer receives **$2.50 off their purchase**.
5. **Wash & Reuse:** The café washes and restocks the returned cup alongside its normal drinkware, putting it right back into circulation.

The goal: **make choosing reusable as convenient as choosing disposable - without requiring customers to remember to bring their own cup.**

